

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 93/2025**

Precautionary Measure No. 1225-24

**Walter José Balmaceda Ruiz and eight other persons deprived of their liberty
regarding Nicaragua**

December 12, 2025

Original: Spanish

I. INTRODUCTION

1. On November 1, 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 *Unidad de Defensa Jurídica* (“the applicants”) urging the Commission to require that the State of Nicaragua (the “State” or “Nicaragua”) adopt the necessary measures to protect the rights to life, personal integrity, and health of: (1) Walter José Balmaceda Ruiz, (2) Jairo Alberto Obando Delgadillo, (3) Eddy Antonio Gutiérrez Delgadillo, (4) Zacarias Cano Angulo, (5) Rosendo Antonio Huerta González, (6) Leonel Antonio Poveda Palacios, (7) José Olivar Meza Raudez, (8) Wilfredo Balmaceda Castrillo, and (9) José Ricardo Cortez Dávila (“the proposed beneficiaries”). According to the request, the proposed beneficiaries do not have access to adequate medical care to treat their health issues and are held in precarious detention conditions. They are also reportedly being threatened by prison officers.

2. Pursuant to Article 25(5) of the Rules of Procedure, the Commission requested information from the State on November 7 and December 16, 2024. The Commission requested additional information from the applicants on January 9, June 11, and October 17, 2025. The applicants provided their communication on December 2, 2024, as well as on January 17, March 3, April 9, May 6, June 16, July 31, and October 31, 2025. To date, the State has not responded, and the granted deadline has expired.

3. Upon analyzing the submissions of fact and law furnished by the requesting party, the Commission recognizes that the proposed beneficiaries are in a serious and urgent situation, given that their rights to life, personal integrity, and health are at risk of irreparable harm. Therefore, based on Article 25 of its Rules of Procedure, the Commission requests that Nicaragua: a) take the necessary measures to protect the rights to life, personal integrity, and health of beneficiaries; b) implement the necessary measures to ensure that the conditions of detention of the beneficiaries are compatible with applicable international standards in this area, including: i. ensure that they are not subjected to violence, threats, intimidation, or aggression within the prison; ii. guarantee access to adequate and specialized medical care, treatments, and medication, and immediately conduct a comprehensive medical assessment of their health status; iii. provide immediate access to adequate food and water; c) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and d) report on the actions taken to investigate the alleged facts that gave rise to this resolution, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. The request reported that on July 19, 2014, an attack occurred against a Sandinista convoy.¹ The police force then allegedly carried out detention operations, during which the proposed beneficiaries were detained, allegedly arbitrarily and without a court order, and were then convicted for their alleged participation

¹ During the commemoration of the 35th anniversary of the Sandinista revolution.

in that attack. The request identified them as opposition leaders in their communities. The applicants noted that they were all subjected to short-term enforced disappearances, during which they were allegedly tortured in an attempt to force them to incriminate themselves for the events.

5. In this line, the request reported that the *Mecanismo para el Reconocimiento de las Personas Presas Políticas en Nicaragua* (Mechanism for the Recognition of Political Prisoners in Nicaragua),² *Unidad de Presas y Presos Políticos de Nicaragua* (Nicaraguan Political Prisoners Unit), *Grupo de Reflexión de Excarcelados Políticos* (Reflexion Group of Former Political Prisoners), and *Grupo de Secuestrados Políticos Unidos* (Group of United Political Prisoners) reportedly recognized the proposed beneficiaries as “political prisoners.” The applicants emphasized that they are among the first political prisoners of the current government, despite being detained prior to the start of the 2018 crisis in the country. They further stated that these individuals face a serious and urgent risk of facing irreparable harm given their detention conditions.

i. Walter José Balmaceda Ruiz

6. Walter José Balmaceda Ruiz is 45 years old. It was reported that he is a supporter of Nicaragua’s liberal parties and that he rents out several transportation units that he owns. On July 19, 2014, on the anniversary of the Sandinista revolution, one of his buses was rented and he himself drove it to transport Sandinista supporters to Managua.

7. On July 22, 2014, the proposed beneficiary was summoned to the Political Secretariat of Managua. That day, as he was driving his truck, he was intercepted by two vehicles (one from the front and one from behind). Hooded men exited these vehicles, put a gun to his head, and said, “If you move, we’ll kill you. Keep quiet.” He was immediately taken to “El Chipote.” The applicants stated that the detention was arbitrary, as there was no court order and he was not informed of the grounds for his apprehension. His truck was not returned to him.

8. The request noted that during his time in solitary confinement at “El Chipote,” he was subjected to prolonged, intense interrogations without access to his lawyer. During these sessions, officers yelled at him, pressured him to confess to orchestrating the attack on the Sandinista convoy, and demanded that he reveal the location of the weapons, among other accusations. It was noted that the proposed beneficiary was subjected to psychological torture as, during interrogations, the police authorities at “El Chipote” showed him photos of his farm, his wife, and other family members. They even described his daily routines, allegedly as a means of threatening him into self-incrimination.

9. On July 22, 2014, his relatives began to inquire about his whereabouts at the mayor’s office and police station in Ciudad Darío, given that he remained incommunicado. That night, a commissioner called the proposed beneficiary’s family to inform them that he was being investigated in “El Chipote.” His family members were able to see him on July 26, 2014, at the preliminary hearing held at the Matagalpa courthouse, although the authorities did not allow them to speak with him. The first family visit was only possible three months after being detained. His lawyer at no time had access to communicate with the proposed beneficiary.

10. In July 2015, the proposed beneficiary was transferred to “La Modelo” where he remains deprived of his liberty to this day. He was sentenced to 133 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) for the crimes of murder, grievous bodily harm, and organized crime.

11. Regarding the proposed beneficiary’s health, the request stated that has various health issues:

² Mechanism for the Recognition of Political Prisoners in Nicaragua, [List of Political Prisoners](#), September 25, 2024 (Available only in Spanish).

- a. He has had diabetes since before being detained in 2014, and it is therefore common for his glucose levels to rise above 350 mg/dL in prison.³
- b. In 2017, a physician at the hospital, Hospital Alemán, performed an ultrasound of his pancreas, and informed him that the organ was paralyzed and dysfunctional. The applicants highlighted that the medical care the proposed beneficiary received in 2017 was granted only after his lawyer submitted at least three requests for attention to the judicial and prison authorities between February and April of that year. It was reported that prison authorities repeatedly refused to authorize medical care in favor of the proposed beneficiary, despite warnings that his health issues are serious.
- c. In May 2020, he contracted COVID-19, which caused him loss of appetite, high fever, and extreme loss of strength. Despite the foregoing, he did not receive medical attention. After months without adequate medical attention, the proposed beneficiary eventually began to beg to be examined in order to determine the cause of his deteriorating health. He was then taken to Hospital Alemán, where they performed an electrocardiogram and discovered heart issues. Since then, he takes 6.25 mg/dl of “cardinol,” “cardiovital,” and “aspirin” every day.
- d. Since late 2020, he began to experience constant headaches and constipation.
- e. In 2022, he developed a lump in his stomach (hernia-like), and Hospital Alemán recommended that he undergo surgery. However, the director of the maximum-security prison “La Modelo” reportedly prevented the operation. He allegedly stated that the proposed beneficiary’s condition was not serious and that his recovery in prison could lead to complications due to his diabetes.
- f. Since early 2024, he has been experiencing fluid retention and has a painful lump on his foot, which has not been examined by physicians.

12. The request stressed that Walter José Balmaceda Ruiz is the only proposed beneficiary who has been examined at the hospital, Hospital Alemán, since 2017. However, it was noted that the results of the tests he has undergone over the years have not been provided to him or his family. The request also indicated that, in October 2024, the deputy director of the prison ordered the guards to remove the proposed beneficiary from his cell in his boxer shorts to be taken to his appointment at the hospital. However, it was reported that he was only taken to another corridor of the prison, while still in his underwear, so that other inmates could mock him. He was taken to the hospital days later. Towards the end of October 2024, he underwent urine and blood tests at the Hospital Alemán, and the doctors only mentioned that his immune system was weak, but did not share the test results.

ii. Jairo Alberto Obando Delgadillo

13. Jairo Alberto Obando Delgadillo is 41 years old. He is reportedly considered liberal, religious, and a defender of democracy. He has participated in protests against alleged fraud in the 2012 municipal elections in Ciudad Darío.

³ A forensic medical report prepared by the Institute of Legal Medicine of the Supreme Court of Justice on January 27, 2015 was attached, which concludes the following: “1. The examinee: Walter José Balmaceda Ruiz presents: Type 1 Diabetes Mellitus with hyperglycemia (168mg/dl), arterial hypertension, and Diabetic Neuropathy. 2. The health issues he presents are chronic. Therefore, he must receive medical treatment and examinations with the periodicity determined by the treating physician. These issues, if not treated daily, can become acutely exacerbated, requiring hospital treatment and potentially put his health at risk (...)”.

14. On August 3, 2014, at 1:00 a.m., approximately 10 police officers (including riot police) reportedly arrived at the proposed beneficiary's residence to detain him, without an arrest warrant or search warrant. It was added that the agents entered the residence by breaking down the front door, they then threw the proposed beneficiary face down on the floor, and kicked him in front of his children. Subsequently, they violently forced him into a van and covered his face with a balaclava, without informing him of the reasons for his detention or where he was being taken.

15. The applicants stated that in the days following his capture, he was taken to an unfamiliar house to be tortured by hooded men under the command of the former head of "El Chipote" at that time. In particular, the complaint stated that the subjects put the proposed beneficiary in a barrel of ice water; beat his hands and face with a baton to the point of breaking a tooth; hung him up and put him naked in a sack with ants, putting a cloth in his mouth so he couldn't scream, while the agents shouted at him, "Shut up, you son of a bitch." In addition, the leader of "El Chipote" inserted the tip of an AK-47 into the proposed beneficiary's anus, while the hooded individuals pointed a gun at his head. The request mentioned that he was also interrogated, during which they showed him pictures of his family members (including children) and told him, "if you don't confess, we will also torture, kill, and decapitate them." It was stated that these events were brought to the attention of the authorities during the October 2014 trial.⁴ The applicants narrated that the acts of aggression were intended to force him to confess on video his participation in the attack on the Sandinista convoy. It was added that the proposed beneficiary was being held at gunpoint behind the camera by eight hooded officers, who told him that they would kill him if he moved.

16. In July 2015, he was transferred to "La Modelo" where he remains imprisoned to this day. He was sentenced to 113 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) and a 50-day fine for the crimes of murder, grievous bodily harm, organized crime, and illegal possession or carrying of firearms.

17. Regarding his health, it was detailed that before his detention in 2014 he did not have any health issues. In 2021 he presented symptoms of COVID-19 (loss of taste, diarrhea, stomach pain, high fever, and fatigue), but he reportedly did not receive medical attention. The authorities only gave him "acetaminophen." Between April and May 2024, he had a severe kidney infection. In May 2024, the authorities transferred him to a hospital for general examinations, the results of which were not disclosed to him or his family. The request indicated that although he has recovered from his kidney problems, he has since developed high cholesterol and triglyceride levels, as well as a fungal infection on his feet caused by the unsanitary conditions of his cell. It was stated that whenever he has an acute health issue, his family members must bear the costs for his medication. For example, fluconazole is provided monthly for fungal infections. However, the applicants noted that he has not undergone any tests to definitively assess his physical health. He also does not receive any psychological care.

iii. Eddy Antonio Gutiérrez Delgadillo

18. Eddy Antonio Gutiérrez Delgadillo is 45 years old. It was noted that both he and his family identify as liberals; one of his brothers was a councilman for the Independent Liberal Party (*Partido Liberal Independiente*, PLI) in the city of Darío prior to 2012. In addition, the proposed beneficiary participated in the protests against the alleged fraud of the municipal elections in his city in 2012. It was added that he has contributed to the works of the Catholic Church.

19. On July 26, 2014, at around 1:00 a.m., members of the Police Special Operations Directorate (*Dirección de Operaciones Especiales de la Policía*, DOEP), most of them wearing balaclavas, allegedly raided the proposed beneficiary's residence. This was allegedly done in a violent manner, without a warrant, without providing an explanation, or showing their identification, and by climbing onto the roof, and knocking down

⁴ The applicants provided the following reference: Confidencial, [12 convicted for the 19 massacre: Defendants denounce police torture to incriminate them](#), October 13, 2014 (Available only in Spanish).

the doors. It was stated that they forced the proposed beneficiary to his knees in order to strike him in the face and torso with their fists and batons. In addition, the police officers pointed AK-47 rifles at members of his family (including his minor children) and shouted that they would shoot the dog if it did not stop barking. They then proceeded to put the proposed beneficiary into a gray Toyota minibus.

20. That same day, his relatives went to the police station in Ciudad Darío to inquire about his whereabouts and the grounds for his detention. The police informed them that the proposed beneficiary had been taken to “El Chipote.” On August 7, 2014, the police released a video showing the proposed beneficiary. His family was able to see him during the preliminary hearing at the Managua Judicial Complex on August 13, 2014, but were not allowed to talk to him. It was highlighted that the first family visit was permitted in September 2014. At no time did the proposed beneficiary have access to a visit from his defense lawyer.

21. The applicants reported that during the first few weeks, the proposed beneficiary had “disappeared” and was incommunicado. During this time, he was beaten during lengthy interrogations. In addition, it was reported that on several occasions he was taken to a clandestine house, allegedly not a state institution, where hooded men, led by the then-head of “El Chipote,” tortured the proposed beneficiary. As stated: they dragged him across the floor; they beat him until his body was covered in bruises; they pulled out a fingernail from his right hand with pliers; they knocked out one of his teeth; they tried to suffocate him with a rope around his neck; they burned his feet by throwing an unidentified acid on them; they tied his feet and hands tightly to stretch his lower and upper limbs in opposite directions, which made him feel as if his body were being torn apart; they put his head in a sink; they put him naked in a barrel of water with electricity until he lost consciousness; they put ants on his genitals; they sprayed his whole body with pressurized water; and even the head of “Chipote” allegedly tried to cut his jugular vein with a sharp object. In addition, it was alleged that he was subjected to psychological torture during the first weeks of his detention. Agents showed him photographs of his family members, including his young children, in various locations in the city of Darío and warned him that if he did not repeat the script prepared by the police in a video, they would kill his family. It was stated that the torture was brought to the attention of the authorities during the oral and public trial.⁵

22. In late July 2015, he was taken to “La Modelo” where he remains deprived of his liberty to this day. He was sentenced to 113 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) and a 50-day fine for the crimes of murder, grievous bodily harm, organized crime, and illegal possession or carrying of firearms.

23. Regarding his health, it was reported that the proposed beneficiary has had hypertension since before his detention in 2014. The authorities at “La Modelo” prison therefore allegedly allow him to take the medication *losartan*, provided by his family. Since 2018, he has had poor eyesight, his eyes “bulge out,” and he experiences migraines. However, it was stated that the authorities have not allowed him to receive glasses or ophthalmological care. Since 2023, he has been experiencing kidney problems, for which he requires the medication “cystone” brought by his relatives. In addition, it was reported that on August 7, 2024, he fell in the bathroom after experiencing severe dizziness, hitting his tibia.

24. The applicants reported that, despite his various health issues, since before 2018, the proposed beneficiary has not been taken to a clinic outside the prison to receive adequate medical care and undergo the necessary medical examinations. In addition, it was stated that in 2020, the proposed beneficiary presented symptoms of COVID-19 (loss of taste and fever), but was not examined by specialists or evaluated through medical tests. It was also noted that he has not received psychological and/or psychiatric care for his depression, as he remains in “subhuman” conditions. The request indicated that the only medical attention he typically receives in prison is having his blood pressure taken with a sphygmomanometer or being briefly examined by a doctor, whose identity is unknown, who merely places a finger on his arm. The last urine test performed to assess his kidney problems allegedly took place in May 2023.

⁵ The applicants provided the following reference: Confidential, [12 convicted for the 19 massacre: Defendants denounce police torture to incriminate them](#), previously cited, (Available only in Spanish).

iv. Zacarias Cano Angulo

25. Zacarias Cano Angulo is a 52 year old farmer who identifies as a liberal. On July 26, 2014, at around 9:00 a.m., four members of the National Army accompanied by hooded civilians allegedly arrived at his residence. It was reported that three soldiers surrounded the residence and one soldier pointed a gun at the proposed beneficiary, kicked him, and told his family (including three minor children) not to interfere. They then removed him from the residence while wearing balaclavas, without informing him of the reason and without presenting a warrant. The proposed beneficiary was transported to the “El Chipote” facility in a vehicle. On the way, the soldiers allegedly beat him with barbed wire on his arms and back, and forced him to tell them where he had hidden the weapons used in the attack on July 19, 2014.

26. It was reported that the family waited 13 days without any information about the proposed beneficiary. On August 7, 2014, based on a police statement about the investigation into the attack on the Sandinista convoy, they learned that the proposed beneficiary was being held in “El Chipote”. Despite this, the prison denied family visits until August 13, 2014, when they were able to see him briefly at the preliminary hearing. The proposed beneficiary was never allowed to see his lawyer.

27. From the first day of his detention, the agents allegedly beat the proposed beneficiary with their fists and the butts of AK-47 rifles while conducting lengthy interrogations, without his lawyer present. This was done in a small, underground cell that was unsanitary, hot, lacked ventilation and natural light, and had a hole for him to perform his bodily functions. In July 2015, he was transferred to “La Modelo” prison, where he remains in custody to this day. It was noted that he was sentenced to 133 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) for the crimes of murder, grievous bodily harm, and organized crime. His sentence will be completed on July 27, 2044.

28. Regarding his health, it was reported that the proposed beneficiary has had spinal problems since before his detention in 2014, but that these have since intensified due to the alleged torture he underwent. Subsequently, he began to experience gastritis and vision problems, but authorities did not allow him to receive ophthalmological care or new glasses. In 2021, it was added that the proposed beneficiary presented symptoms of COVID-19 (fever, loss of taste, and vomiting), but did not receive medical attention. Since 2022, he has experienced kidney problems, including difficulty urinating. It was also noted that he has rashes, skin problems on his genitals, and back pain. However, according to the report, he has not received adequate medical care or undergone thorough examinations. Only one doctor at the prison allegedly occasionally examines him and gives him medication for gastritis, or prescribes medication for his family to bring him.

v. Rosendo Antonio Huerta González

29. Rosendo Antonio Huerta González is a 53 year old indigenous and liberal political leader. The applicants reported that, before being detained, he had received threats due to his protest against alleged fraud in the 2012 municipal elections.

30. On July 30, 2014, around midnight, members of the DOEP allegedly entered the proposed beneficiary’s residence violently and without a search warrant. It was revealed that, after forcing other members of his family to lie down, the agents took the proposed beneficiary out in his underwear and put him in a vehicle. It was emphasized that the agents did not identify themselves, did not show a warrant, nor did they explain the grounds for the detention. He was then taken to the area where the attack on the Sandinista convoy took place on July 19, 2014. Agents allegedly forced him to touch the area and leave his fingerprints on a bottle of liquor that was allegedly used by the prosecution as evidence to incriminate him.

31. On the same day, July 30, 2014, the proposed beneficiary was taken to “El Chipote,” where he was held incommunicado. The applicants described the initial situation as a “disappearance.” He was allowed his first family visit on August 20, 2014.

32. The applicants reported that the proposed beneficiary was tortured from the moment he was detained. They stated that the proposed beneficiary was struck in the eye and neck, and that an officer attempted to cut his jugular vein with a sharp object. He also stated that, on occasions, he was forced to sleep naked on a tile floor and, if he moved, he was beaten. The applicants described this act as “immobilization torture.” He was also subjected to psychological torture during interrogations in the first few weeks. During these interrogations he was told that if he did not confess, his family would “pay the consequences” and could even be killed. The applicants added that he remained held in the cells at El Chipote until early July 2015, when he was transferred to La Modelo, where he continues to be detained to this day. He was sentenced to 37 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) and a fine of 200 days, for the crimes of murder, grievous bodily harm, organized crime, and use of restricted firearms.

33. Regarding his health, it was reported that since before his detention, he has had chronic gastritis. He therefore requires “omeprazole” and “milk of magnesia” to date. Since 2017, he has reportedly experienced a burning sensation in his eyes. However, the request emphasized that he has not received adequate medical care, nor has he undergone any tests to determine his health. It was added that he has also not received psychological and/or psychiatric care.

vi. Leonel Antonio Poveda Palacios

34. Leonel Antonio Poveda Palacios is 58 years old. The request stated that he was recognized as a liberal leader in the city of Darío, a supporter of the Independent Liberal Party (PLI) when he was detained. Additionally, he was actively involved in the 2012 municipal elections, during which the Sandinista Front allegedly won the mayoralty of his municipality through fraudulent means. It was noted that he was part of the Sandinista counterrevolution in the 1980s.⁶

35. On July 17, 2014, two days before the attack on the convoy, the proposed beneficiary was allegedly targeted by the police for no apparent reason, and was summoned to the police station. On August 1, 2014, he was detained without a warrant when members of the National Army intercepted a bus on which he was traveling to work. It was revealed that, afterwards, he was taken to a private house in an unknown location, where the leader of “El Chipote,” soldiers, and hooded men were waiting. It was reported that they did not tell him the grounds for his detention, nor did they allow him to contact his family or a lawyer.

36. The applicants emphasized that his relatives did not have any information about his whereabouts until August 7, 2014, when the police published a statement on the investigation into the attack on the Sandinista convoy. The statement mentioned that the proposed beneficiary was being held at “El Chipote.” However, it was alleged that the authorities at that prison did not allow him to receive family visits until the end of September 2014, after he had been held incommunicado for around two months. In July 2015, the proposed beneficiary was transferred to “La Modelo” where he remains deprived of his liberty to this day. The applicants added that the proposed beneficiary was sentenced to 133 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) for the crimes of murder, grievous bodily harm, and organized crime.

⁶ The applicants added the following reference: La Prensa, [Leonel Poveda, the political prisoner sentenced to 133 years in prison](#), October 30, 2024 (Available only in Spanish).

37. Regarding his health, it was reported that before his detention in 2014, the proposed beneficiary did not present any health issues. Since 2020, he has had constant intestinal problems such as diarrhea and constipation. As of 2021, he experiences insomnia, spinal pain, and difficulty urinating. However, he reportedly did not receive adequate medical care, nor did he undergo examinations. The request highlighted that, in 2021, the proposed beneficiary presented symptoms of COVID-19 (high fevers, fainting, flu, and cough), but did not receive medical attention either. It was added that he has skin issues, such as fungal infections, as a result of the unsanitary conditions in the cell. Furthermore, despite his deep distress and depression, he reportedly has not received adequate psychological care. It was mentioned that a psychologist had seen him in previous years, but only asked him about his cellmate. In addition, it was highlighted that in 2016 he was taken to the punishment cell known as “El Infiernillo”. He was subjected to unbearable heat and extreme isolation, which caused further deterioration of his mental health.

vii. *José Olivar Meza Raudez*

38. José Olivar Meza Raudez is 59 years old. It was reported that in 1980, during the armed conflict in Nicaragua, he, his sister, and his mother were detained for being considered counterrevolutionaries. It was added that they have maintained a position of opposition to the Sandinista Front.

39. On July 26, 2014, at about 1:00 a.m., three vans with DOEP agents surrounded the proposed beneficiary’s residence. It was alleged that the officers broke down the door to his residence without presenting a search warrant. They allegedly detained him without showing an arrest warrant, and put him in a patrol car without explaining the reasons for his detention. It was revealed that he was taken to “El Chipote,” where he was interrogated for several hours on various days about his alleged involvement in the attack on the Sandinista convoy on July 19, 2014.

40. At the same time, his family members were reportedly denied information about his whereabouts for about 20 days. At the San Isidro police station, other offices in Matagalpa, and “El Chipote,” officers reportedly told his family members that they did not know where the proposed beneficiary was located. His family received news about his whereabouts on August 7, 2014, when the police released a report on those allegedly involved in the attack on the convoy. They were then able to see him at the courthouse during the preliminary hearing on August 13, 2014, and a few days later, the authorities at El Chipote allowed them their first family visit.

41. During that visit, his relatives observed that the proposed beneficiary had bruises on his face, swelling on his nose, and makeup, presumably to cover the blows he had received. It was reported that he appeared fearful, especially because during the visit two police officers stood beside him, which prevented free and private communication with his family members.

42. In late June 2015, it was added that he was transferred to “La Modelo” where he remains in custody to this day. In July 2015, the Ninth Criminal District Court of Trial of Managua Sentencing No. 174, issued a ruling sentencing the proposed beneficiary to 10 years in prison for the crime of concealment,⁷ and his sentence was therefore completed on July 27, 2024. However, the proposed beneficiary has not been released.⁸ As a result of calls for his release, he was reportedly transferred in March 2025 to the punishment cell known as “El Infiernillo” for three months. The cell is small, isolated, hot, and poorly ventilated, conditions that reportedly exacerbate his medical problems. It was reported that when he was taken to the punishment cell, he was beaten and stripped of everything, including his sandals. He also reported that prison officials insult him by saying, “You’re paying for what you did,” and “Forget about ever getting out of here.” The request added

⁷ The applicants questioned the fact that the judgment was issued on October 17, 2014, but the Ninth District Criminal Court of Managua notified the judgment late, in July 2015.

⁸ It was reported that the proposed beneficiary’s lawyer filed a cassation appeal on April 26, 2017, which to date has not been resolved by the Criminal Chamber of the Supreme Court of Justice. The process against the nine proposed beneficiaries still does not have a final judgment.

that his defense lawyer, José Manuel Urbina Lara, was also deprived of his liberty in 2021 for political reasons. The latter is the beneficiary of precautionary measures from the IACHR⁹ and provisional measures from the Inter-American Court of Human Rights.¹⁰

43. Regarding José Olivar Meza Raudez's health, the request stated that, before being detained in 2014, he only had kidney stones. Since 2018, he has been experiencing severe bone pain. Authorities therefore allow his relatives to provide him with up to ten "arbitron" pills per month. Occasionally, a prison doctor administers an injection called "dipyrone" for his knee pain. Since 2023, he has been experiencing allergies on his body, presumably due to the poor conditions in his cell. In addition, the authorities reportedly do not allow him to obtain glasses for his vision problem, which continues to worsen. It was stated that in November 2024 he fainted twice and his health was very poor. He therefore underwent a check-up in the prison, which revealed that he has heart and blood pressure problems. The applicants question whether José Olivar Meza Raudez is receiving comprehensive, regular medical care, or whether he has undergone specialized medical examinations to determine his current medical condition and the appropriate treatment. In this regard, the applicants stated that the proposed beneficiary had developed these health issues during his imprisonment in "subhuman" conditions.

viii. Wilfredo Balmaceda Castrillo

44. Wilfredo Balmaceda Castrillo is 65 years old and a former councilman for *Partido Liberal Independiente* (Independent Liberal Party) and *Partido Liberal Constitucionalista* (Constitutionalist Liberal Party) in the city of Darío. On July 26, 2014, around 20 police officers allegedly entered his residence violently and without a search warrant. The officers stated they were looking for him on the grounds of "cattle theft" and even "held a gun" to his four-year-old son. His father and mother's residence was also raided. The proposed beneficiary was detained on August 2, 2014, under blows and threats that "they were going to kill him."

45. It was alleged that, after being detained, he was taken to an unknown house for several days. The then leader of "El Chipote" and other hooded individuals under his command were present. Wilfredo Balmaceda Castrillo spent several days handcuffed, covered with a foul-smelling balaclava, and without food (only a piece of candy). He was not given access to a bathroom and was forced to perform his bodily functions in the same space. It was reported that while in that house, he was punched repeatedly until his cheekbone was broken, and the injury subsequently became infected. It was noted that, during those days, the proposed beneficiary was forced to remain in a motionless position, as he would otherwise be beaten. In addition, on several occasions, they allegedly held a knife to his neck and a gun to his head, while demanding that he confess to his alleged involvement in the attack on the Sandinista convoy on July 19, 2014. The authorities at that prison did not allow him to receive visitors until August 12, 2014. It is therefore highlighted that he was held incommunicado for at least 10 days after being detained.

46. It was revealed that, during the first few weeks, the proposed beneficiary was interrogated and threatened by the authorities, who warned him that "if he did not confess, his family would pay." The agents even showed him photos of his children and described their daily activities, thereby indicating that they were being watched. The guards also threatened him, saying they would "send someone to rape him in his cell." In July 2015, the proposed beneficiary was taken to "La Modelo" where he remains to this day. It was noted that he was sentenced to 133 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) for the crimes of murder, grievous bodily harm, and organized crime.

47. The request stated that Wilfredo Balmaceda Castrillo had been sent to the punishment cell known as "El Infiernillo" on three occasions: (i) he remained there for more than a year between 2018 and

⁹ IACHR, [Resolution No. 113/2021](#), Precautionary Measures No. 610-21 and No. 949-21 José Manuel Urbina Lara and Benjamín Ernesto Gutiérrez Collado regarding Nicaragua December 31, 2021, para.

¹⁰ I/A Court H.R., [Matter of 45 persons deprived of their liberty in 8 detention centers](#), Provisional Measures regarding Nicaragua, October 4, 2022.

2019, (ii) he was there for more than 15 months between 2020 and 2021; and (iii) he was sent there for a few days in 2022. It was revealed that the authorities have treated him with hostility as, since his detention in 2014, he has maintained his innocence and claimed to be a victim of government torture.

48. Regarding his health, it was noted that he did not present any health issues before his detention. Since 2018, he has been experiencing prostate problems (difficulty urinating), for which his family provided him with medication called “*Dúo Prosta Zeus*”. However, since December 10, 2021, the authorities at “La Modelo” have reportedly refused to allow these pills to be delivered. It was stated that to date he has not undergone medical examinations nor has he received medical attention for this issue. It was noted that in 2020 he presented symptoms of COVID-19 (flu, body aches, loss of taste, and fever), but did not receive any medical attention. Currently, it has been reported that he has a broken tooth, but he has not received dental care. In addition, he has vision problems. However, as stated, he has not undergone medical examinations, he is not receiving ophthalmological care, and he is not allowed to obtain glasses. Similarly, he was allegedly not provided with psychological or psychiatric care for his situation of despair and distress due to detention conditions which are described as “subhuman.”

ix. *José Ricardo Cortez Dávila*

49. José Ricardo Cortez Dávila is 72 years old. In the 1980s, he went into exile in Honduras due to alleged persecution by the Sandinista government. In that same decade, he joined the counterrevolutionaries in the mountains of Nicaragua, but was detained by the Sandinista People’s Army in 1988 and released under an amnesty in 1990. After that, he joined the Nicaraguan National Police for a few months.

50. On July 25, 2014, ten hooded soldiers detained him while traveling on a bus. They allegedly did not inform him of the reasons for his detention, did not show him an arrest warrant, and did not tell him where he was being taken. The request labeled the situation as an “enforced disappearance.” Two months later, his family discovered through television¹¹ that he was being held at “El Chipote.” The applicants reported that police officers tortured him by punching him in the ribs to force him to admit to the events that took place on July 19, 2014, despite the fact that he is an elderly man.

51. In July 2015, he was transferred to the “Jorge Navarro” National Penitentiary System (also known as “La Modelo”) where he remains deprived of his liberty to this day. It was noted that he was sentenced to 133 years in prison (of which he must serve a maximum of 30 years under constitutional mandate) for the crimes of murder, grievous bodily harm, and organized crime.

52. In 2023, José Ricardo Cortez Dávila completely lost his sight, allegedly due to lack of medical care, despite his family members “begging” the guards to allow him to have surgery, and even offering to cover the costs themselves. The applicants stated that after the damage had been done, the prison authorities transferred him to Upper Gallery 2 within the same prison. This is a 4-square-meter cell that he shares with another prisoner who assists him with daily activities. Despite the foregoing, it was reported that to date he has not received medical attention for his vision problems or prostate issues. Since October 20, 2024, he has been experiencing severe fevers and flu, but to date he has not been treated. In addition, it was reported that his depression has worsened, and that he has not been receiving psychological care. It was stated that before his detention in 2014, he did not have any health issues.

- *Current detention conditions faced by the proposed beneficiaries*

53. The request emphasized that the proposed beneficiaries have not received medical care sufficient to establish their diagnoses and determine appropriate treatment, which in turn puts them at risk of irreparable harm to their health. In most cases, the care provided is reportedly limited to occasional blood

¹¹ The applicants provided the following reference: El 19 Digital, [National Police explains in detail how the massacre occurred on July 19](#), August 7, 2014 (Available only in Spanish).

pressure checks, but there is allegedly no proper medical examinations or the provision of necessary medications. This situation is ongoing despite repeated verbal requests from the proposed beneficiaries and their families for adequate health care. The request reaffirmed that this omission from the State could cause irreversible harm, as evidenced in the case of José Ricardo Cortez, who allegedly became completely blind as a result of the precarious detention conditions and the hostile environment in which he is being held alongside the other proposed beneficiaries.

54. In addition, the applicants stated that the proposed beneficiaries have never received adequate psychological or psychiatric care, despite the detrimental effects on their mental health resulting from imprisonment in conditions described as “subhuman,” the alleged torture they suffered in 2014, and the reported deterioration of each beneficiary’s health. They noted that this situation raises a fear of dying.

55. Along these lines, the applicants warned that current detention conditions are “subhuman” and characterized by: (i) extreme heat (in summer, temperatures exceed 40 degrees Celsius); (ii) poor ventilation, as cells only have one or two windows measuring approximately 30 cm x 10 cm, located at a height of 2 meters; (iii) since 2020, security cameras that interrupt their privacy when they perform their bodily functions; (iv) large amount mosquitoes and cockroaches; (v) they do not have a toilet, but rather only a hole connected to a pipe that gives off an unpleasant odor, and prisoners have to bathe in the same place as the hole; and (vi) the conditions are unsanitary, which even causes allergies in the body. The applicants argued that these conditions constitute a torturous environment that is causing anxiety and serious psychological harm.

56. All of the proposed beneficiaries allegedly remain held in the conditions described, except for José Ricardo Cortez Dávila. Due to his advanced age, visual impairment, and chronic health issues, in early 2023, José Ricardo Cortez Dávila was transferred to the Upper Gallery of El Chipote, to a small, unsanitary cell where the dirt on the mattress causes him skin allergies.

57. It was also reported that the water in the prison is not fit for human consumption, as it contains mud or larvae remains due to a lack of maintenance of the water tanks by the authorities. It was added that the food is not nutritious, as it consists of rice and beans. The request expressed concern about the proposed beneficiaries who present chronic health issues, as they require a diet which is suitable to their medical needs. In addition, the applicants observed that, from August 2024 to date, the director of “La Modelo” prison does not allow the nine proposed beneficiaries to access to the exercise yard, recreational activities, or have a Bible. This decision was allegedly made in retaliation for public complaints made by those close to the proposed beneficiaries about the prison conditions they face and the alleged arbitrariness of their detention. The request stressed that the proposed beneficiaries receive discriminatory treatment in relation to other prisoners, for example, other prisoners reportedly have access to the courtyard, recreational activities, and reading material.

58. In October 2025, the applicants continued to note that the detention conditions that the proposed beneficiaries face have not improved. It was reported that prison guards yell at the proposed beneficiaries, telling them that they “have no rights.” In addition, their water supply was cut off for four days, putting their safety, lives, and health at risk given the extreme heat that prevails in the prison.

59. The applicants also stated that prison officials behave in a hostile manner toward the proposed beneficiaries, threatening to “harm them at any time,” telling them that they are ‘worthless’ or that they will be “moved to worse cells.” In this context, it was noted that in October 2024, Eddy Antonio Gutiérrez Delgadillo, Jairo Alberto Obando Delgadillo, Wilfredo Balmaceda Castrillo, and Leonel Antonio Poveda Palacios were transferred to other maximum-security cells in “La Modelo” prison with less ventilation, where individuals sentenced to life imprisonment are held. No explanation was provided for this action. The aim of the act was supposedly to cause psychological harm. In addition, it was revealed that officials tell them that they will “never be released,” and at night, they ring bells and shine lights in their eyes to interrupt their sleep. According to the report, since November 2024, proposed beneficiaries can only receive one family visit per month, which takes place under strict surveillance, as well as a few minutes of phone calls.

60. The applicants recalled that, in mid-March 2025, José Olivar Meza Raudez and Eddy Antonio Gutiérrez Delgadillo were sent to the punishment cell at “El Infiernillo” for three months, and were beaten during the transfer. It was reported that they were taken to that cell because Eddy Antonio Gutiérrez Delgadillo complained to a guard about the fact that José Olivar Meza Raudez, who had completed his 10-year sentence on July 27, 2024, had not been released. Similarly, on July 19, 2025, Eddy Antonio Gutierrez Delgadillo was sent back to the punishment cell allegedly in retaliation for asking to go out to the courtyard and receive medical care. In this regard, the request emphasized that this situation constitutes a repressive example that has had a silencing effect, leading the rest of the proposed beneficiaries to refrain from claiming their rights.

61. In October 2025, the applicants stated that they had received unofficial information warning that Walter José Balmaceda Ruiz and Eddy Antonio Gutiérrez Delgadillo were being subjected to constant harassment by an inmate identified as a former soldier. It was noted that this individual moves freely through the maximum-security corridors harassing both proposed beneficiaries with the consent or direct instruction of the prison director. In this regard, it was revealed that, in late October 2025, this ex-military member attempted to physically assault Walter José Balmaceda Ruiz. In response, Eddy Antonio Gutiérrez Delgadillo intervened to defend him. As a result, he was sent back to the punishment cell in “El Infiernillo,” even though he had been transferred to the maximum security common area just weeks earlier. Walter José Balmaceda Ruiz, for his part, reportedly remained locked in his cell with the window closed and deprived of essential belongings needed to manage his health issues.

62. Along these lines, the applicants stated that their relatives have been unable to take internal action to protect the rights to life, integrity, and health of the proposed beneficiaries, not on account of any failure on the part of their representatives or close associates, but rather due to the following: (i) internal remedies are illusory given the lack of judicial independence and impartiality in Nicaragua; (ii) those close to them are extremely fearful of reprisals against themselves or the proposed beneficiaries; and (iii) the relatives have been unable to find lawyers in Nicaragua who are willing to take on the case of the proposed beneficiaries, as legal professionals fear reprisals. On this point, the applicants reiterated that one of the proposed beneficiaries’s lawyers, Manuel Urbina Lara,¹² is in detention. According to the petition, this shows the risk faced by defenders in the country.

63. The request reported that, on March 16, 2017, the First Criminal Chamber of the Managua Court of Appeals issued a decision upholding every aspect of the first-instance conviction against the proposed beneficiaries.. In April 2017, the proposed beneficiaries’ defense attorneys filed an appeal against this ruling. However, the applicants stated that, since then, the Criminal Chamber of the Supreme Court of Justice has not resolved the appeal to date. It was revealed that the process against the nine proposed beneficiaries still lacks a final judgment. In short, the request reaffirmed that it has not been possible to find lawyers who are willing to take on the case to pursue the appeal, as legal professionals fear reprisals.

64. In addition, it was stated that there are no human rights organizations in Nicaragua due to widespread and systematic persecution of human rights defenders, meaning that those who remain in the country have to work clandestinely. The applicants emphasized that on September 10, 2024, the Office of the United Nations High Commissioner for Human Rights (OHCHR) warned that the Nicaraguan people are defenseless against serious human rights violations and that “Nicaragua does not meet even the minimum reasonable standard of judicial independence.”¹³

¹² IACHR, [Resolution No. 113/2021](#), Precautionary Measures No. 610-21 and No. 949-21, José Manuel Urbina Lara and Benjamín Ernesto Gutiérrez Collado regarding Nicaragua, already cited; and I/A Court H.R., [Matter of 45 persons deprived of their liberty in 8 detention centers](#), Provisional measures regarding Nicaragua, previously cited.

¹³ The applicants provided the following reference: OHCHR, [Nicaragua’s people defenseless in face of grave human rights violations, UN Group of Experts says](#)–, September 10, 2024.

B. Response from the State

65. The IACHR requested information from the State on November 7 and December 16, 2024. To date, no information has been received from them, and the granted timeline has expired.

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

66. 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.

67. 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.¹⁴ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.¹⁵ To do this, the IACHR shall assess the problem raised, the effectiveness of State actions to address the situation, and how vulnerable the proposed beneficiaries would be left in case the measures are not adopted.¹⁶ 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.¹⁷ 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

¹⁴ Inter-American Court of Human Rights (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.

¹⁵ 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).

¹⁶ 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).

¹⁷ 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).

- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

68. 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*.¹⁸ Similarly, the Commission recalls that, by its own mandate, it is not in its purview to determine any individual liabilities for the facts alleged.

69. The Commission observes that the applicants describe the proposed beneficiaries as “political prisoners” after being detained in 2014. In this regard, the Commission notes the considerations set forth by the applicants and Nicaraguan civil society. However, it recalls that it has been monitoring the situation of state persecution of critics and opponents of the current government since the 2018 protests in the country. This refers to a period after 2014, the year in which the proposed beneficiaries were detained. Consequently, the IACHR does not have evidence of state persecution since 2014, as it has since 2018.

70. Notwithstanding the foregoing, this Commission understands, as do the applicants, that there is sufficient evidence to consider that the proposed beneficiaries are at risk under the procedural terms, given their current detention conditions and the lack of response from the State to challenge the information. In making this determination, the IACHR recalls that, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments,¹⁹ which is better suited to be addressed by the jurisdiction of the Petitions and Cases System. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be carried out without entering into determinations on the merits.²⁰

71. Regarding the *seriousness* requirement, the Commission considers that it has been met. According to the applicants, the proposed beneficiaries have been deprived of their liberty in Nicaragua since 2014. The Commission takes seriously the explicit allegations of violence, threats, and the absence of information about his whereabouts at the time of their detention. In addition, it was stated that the threats had also been extended to the relatives of the proposed beneficiaries. It was revealed that agents showed the proposed beneficiaries photographs of their family members, including children. They then detailed their daily activities and warned them that they were being watched. The Commission observes that the applicants described certain acts as “torture,” which, as stated, were brought to the attention of the competent authorities during the oral and public trial in 2014.²¹ However, there has been no response to date regarding whether they have been investigated, despite the extreme seriousness of the allegations.

72. Although it is not for the Commission to rule on individual responsibilities in this case, the information presented is particularly concerning insofar as it highlights that threats against the proposed beneficiaries continue to this day. In particular, prison officials allegedly warned them that they would “harm

¹⁸ 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.

¹⁹ 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.

²⁰ 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).

²¹ Confidential, [12 convicted for the 19 massacre: Defendants denounce police torture to incriminate them](#), previously cited, (Available only in Spanish).

them at any moment,” that they were “worthless,” that they had “no rights,” that they would “never be released,” or that they would “be moved to worse cells.” In fact, it was highlighted that, in October 2024 and without any explanation, Eddy Antonio Gutiérrez Delgadillo, Jairo Alberto Obando Delgadillo, Wilfredo Balmaceda Castrillo, and Leonel Antonio Poveda Palacios were transferred to other maximum-security cells in the “La Modelo” prison, which have less ventilation and where people sentenced to life imprisonment are held. The request stated that the transfer was intended to cause psychological harm.

73. In addition, it was reported that the proposed beneficiaries have been taken to the cells of “El Infiernillo”²² on several occasions. According to the statement, a person interviewed by the Group of Experts on Human Rights in Nicaragua (GHREN) recounted his experience in “El Infiernillo,” noting that “my skin became contaminated and rotted. I developed a fungal infection, and my skin broke out in a rash. I felt deep pain and a burning sensation. There was no light, no air, it’s very difficult to recycle the air there.”²³ It was stated that this location is used as a method of torture and punishment.²⁴

74. In this context, it was reported that in March 2025, José Olivar Meza Raudez and Eddy Antonio Gutiérrez Delgadillo were sent to “El Infiernillo” for three months, and were beaten during the transfer. The request added that they were taken to that cell in retaliation because Eddy Antonio Gutiérrez Delgadillo complained to a guard about the fact that José Olivar Meza Raudez had not been released, despite completing his 10-year sentence on July 27, 2024. Similarly, on July 19, 2025, Eddy Antonio Gutiérrez Delgadillo was again transferred to “El Infiernillo,” allegedly in retaliation for requesting access to the courtyard and to receive medical attention. Furthermore, it was alleged that Wilfredo Balmaceda Castrillo was kept at that location for more than a year between 2018 and 2019, and for more than 15 months between 2020 and 2021. In summary, Leonel Antonio Poveda Palacios, who was imprisoned in “El Infiernillo” in 2016, noted that this caused a deterioration in his mental health. In relation to the above, the applicants argued that this situation constitutes a repressive example that has had a silencing effect, leading the proposed beneficiaries to refrain from claiming their rights.

75. The Commission notes that the proposed beneficiaries’ **current detention conditions** were classified as “subhuman” and have the following characteristics:

- a. extreme heat, with temperatures exceeding 40 degrees Celsius in summer;
- b. poor ventilation, with only one or two windows measuring approximately 30 cm x 10 cm;
- c. water is not fit for human consumption as it contains sludge or larvae remains;
- d. food is reportedly not nutritious, as it consists only of rice and beans;
- e. there are mosquitoes and cockroaches;
- f. there are security cameras that reportedly interrupt their privacy when they perform their bodily functions;
- g. at night, agents ring bells and shine lights in their eyes to interrupt their sleep.
- h. they do not have a toilet, but rather only a hole connected to a pipe that gives off an unpleasant odor. Prisoners have to bathe in the same place as the hole;
- i. the conditions are unsanitary, which even causes allergies on their bodies.

²² According to publicly available information, “El Infiernillo” is a complex of 26 cells, named for the very high temperatures during the day and cold temperatures at night, with no ventilation, dark, unsanitary, with limited access to water, and infested with insects. Nueva Vida, [Nicaragua: they reveal the cells where Bishop Rolando Álvarez is being held](#), May 26, 2023 (Available only in Spanish); Hazte Sentir, [This is the cell where Bishop Rolando Álvarez is being held in Nicaragua](#), February 20, 2023, (Available only in Spanish).

²³ Confidencial, [This is “El Infiernillo” where Bishop Rolando Álvarez is held in prison for 100 days](#), May 21, 2023, (Available only in Spanish).

²⁴ Hazte Sentir, [This is the cell where Bishop Rolando Álvarez is being held in Nicaragua](#), previously mentioned, (Available only in Spanish).

76. In addition to the above, the applicants stated that, from August 2024 to present day, the director of “La Modelo” prison suspended access to the exercise yard, recreational activities, and the possibility of having a Bible for the nine proposed beneficiaries, allegedly in retaliation for public complaints made by their relatives about the detention conditions. Since then, more than a year has passed without any improvement in the situation. The Commission has no information on when access to the courtyard, recreational activities, or reading materials will be restored.

77. In short, it was considered that the proposed beneficiaries only have access to one family visit per month, which takes place under strict surveillance. Given these circumstances, the Commission understands that there is no possibility of obtaining a response regarding the situations that place the proposed beneficiaries at risk while in State custody.

78. Moreover, the Commission observes that the proposed beneficiaries have various **health** issues, which include gastrointestinal, ophthalmological, renal, prostate, and heart problems, stomach and foot lumps, diabetes, high blood pressure, back pain, and skin allergies. However, the request warned that to date they had not received medical attention to diagnose their health issue or determine treatments to prevent irreparable harm. Glasses for vision problems are also allegedly refused. In most cases, the care provided allegedly consists of occasional blood pressure checks, without the necessary clinical examinations or the provision of essential medications. This means that their relatives must provide them with the medications they consider necessary. There is no information indicating that the medications provided by family members were prescribed by a medical professional based on an assessment of the current medical condition of the proposed beneficiaries.

79. In fact, it was reported that neither the proposed beneficiaries nor their relatives have been able to access medical documentation. The Commission therefore understands that, to date, there is no possibility of obtaining an updated response regarding the proposed beneficiaries’ current health. Furthermore, it is alarming that the petition states that José Ricardo Cortez Dávila completely lost his sight due to inadequate medical care, despite his relatives “begging” the guards to allow him to undergo surgery, and even offering to cover the costs themselves. In addition, it was reported that Walter José Balmaceda Ruiz has had a lump in his stomach (hernia-like) since 2022, and that the professionals at Hospital Alemán told him he needed surgery. However, the prison director reportedly prevented the operation, stating that it was not a serious issue. The request also warned that Jairo Alberto Obando Delgadillo and Leonel Antonio Poveda Palacios did not present any health issues before their detention in 2014. However, they later developed kidney, gastrointestinal, and skin problems. In summary, the applicants added that at no time have the proposed beneficiaries received psychological or psychiatric care despite their state of depression and distress.

80. In this regard, the Commission recalls that the Court has established the special position of guarantor that the State acquires in relation to detained persons, as a result of the particular relationship of subordination that exists between the inmate and the authorities.²⁵ The Court has stressed that in these circumstances the general state duty to respect and guarantee rights acquires a particular nuance, which obliges the State to provide the inmates with the minimum conditions compatible with their dignity while they remain in a detention center.²⁶ The Court has also clarified that this role as guarantor also requires the State to show that there are no conditions of extreme gravity and urgency that could result in irreparable harm to the proposed beneficiaries.²⁷

81. The situation that José Ricardo Cortez Dávila, 72 years old, and Wilfredo Balmaceda Castrillo, 65 years old, face is particularly serious, as they are older citizens. In this sense, the Inter-American Court

²⁵ I/A Court H.R., [Matter of four members of the Mayangna indigenous people deprived of their liberty](#), Provisional Measures regarding Nicaragua, June 27, 2023, para. 46.

²⁶ I/A Court H.R., [Matter of four members of the Mayangna indigenous people deprived of liberty](#), previously cited, para. 46.

²⁷ I/A Court H.R., [Matter of four members of the Mayangna indigenous people deprived of their liberty](#), previously cited, para. 46.

considers age as a factor to be taken into account in the intersectional approach that requires special measures of protection due to their life cycle, their condition as persons who are developing or for factors of risk associated with aging.²⁸ The Court has highlighted that older persons are particularly vulnerable as regards access to health, due to various factors such as physical limitations, mobility problems, economic status, severity of an illness, and the possibilities of recovery, it has therefore underlined the need to guarantee older persons, in a clear and accessible way, the necessary information to understand their diagnosis or particular situation, as well as the measures or treatments available to address the situation.²⁹ Consequently, the Court has determined that they are entitled to reinforced protection that requires the adoption of differentiated measures,³⁰ and therefore, as members of a vulnerable or high-risk group.³¹

82. In view of the above facts, the applicants warned that it is not possible to activate internal protection mechanisms at the domestic level, particularly for fear of reprisals against the proposed beneficiaries or their families. The above is consistent with the allegations presented, insofar as it was highlighted that, after attempting to report the detention conditions or seek to protect their rights, the proposed beneficiaries were allegedly subjected to restrictions such as suspension of access to the courtyard, limitation of recreational and reading activities, as well as transfers to maximum security or punishment cells in “El Infiernillo.”

83. In addition, the applicants warned that it has not been possible to find lawyers in Nicaragua to represent the proposed beneficiaries for fear of reprisals. In this regard, even the appeal filed in March 2017 remains unanswered to date, more than eight years later, and without a final conviction. Added to this is the concern expressed regarding José Olivar Meza Raudez, who reportedly completed his 10-year sentence on July 27, 2024, that is, more than a year ago. However, he remains deprived of his liberty, with no indication of when he might be released. The Commission notes the allegation that the proposed beneficiaries are completely defenseless against the detailed situation that places them at risk.

84. Having requested information from the State under Article 25 of its Rules of Procedure, the Commission regrets the lack of response to the request. Although the foregoing is not sufficient *per se* to justify the granting of a precautionary measure, the lack of response from the State prevents the Commission from knowing the measures that would have been reportedly implemented to address the situation that places the proposed beneficiary at risk dispute the facts alleged by the applicants. Therefore, the Commission does not have information that would allow it to assess whether the risk situation of the proposed beneficiaries has been mitigated or the actions taken to safeguard the rights of the proposed beneficiaries.

85. In view of the foregoing considerations and in light of the *prima facie* standard, the Commission considers it sufficiently shown that the proposed beneficiaries face a situation of serious risk to their rights to life, personal integrity, and health in Nicaragua.

86. Regarding the requirement of *urgency*, the Commission considers that it has been met. In particular, the available information reveals that the proposed beneficiaries are already experiencing the consequences of the lack of medical care and the impact of the detention conditions they face. The situation described in the request is likely to persist and even worsen if immediate measures are not taken in their favor. Additionally, the Commission has not received any response from the State regarding the actions that may be taken to address or mitigate the risk that the proposed beneficiaries face.

²⁸ I/A Court H.R., Advisory Opinion OC-29/22, [Differentiated Approaches with respect to Certain Groups of Persons Deprived of Liberty](#), of May 30, 2022, para. 65.

²⁹ I/A Court H.R., [Case of Poblete Vilches et al. v. Chile](#), Judgment of March 8, 2018, para. 131.

³⁰ I/A Court H.R., [Case of Poblete Vilches et al. v. Chile](#), previously cited, para. 127.

³¹ IACHR, [Principles and Good Practices on the Protection of Persons Deprived of Liberty in the Americas](#), adopted by the Commission during the 131st regular session, held from March 3 to 14, 2008, Principle XVIII.

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

IV. BENEFICIARIES

88. The Commission declares the following beneficiaries: (1) Walter José Balmaceda Ruiz, (2) Jairo Alberto Obando Delgadillo, (3) Eddy Antonio Gutiérrez Delgadillo, (4) Zacarias Cano Angulo, (5) Rosendo Antonio Huerta González, (6) Leonel Antonio Poveda Palacios, (7) José Olivar Meza Raudez, (8) Wilfredo Balmaceda Castrillo, and (9) José Ricardo Cortez Dávila. All these persons are duly identified in this procedure.

V. DECISION

89. 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, it requests that Nicaragua:

- a) adopt the necessary measures to protect the rights to life, personal integrity, and health of the beneficiaries;
- b) implement the necessary measures to ensure that the beneficiaries' detention conditions are compatible with applicable international standards on the matter, including:
 - i. guarantee that they are not subjected to violence, threats, intimidation, and aggression inside the prison;
 - ii. ensure access to adequate and specialized medical care, treatments, and medications, and immediately carry out a comprehensive medical evaluation of their health;
 - iii. provide immediate access to adequate food and water;
- c) consult and agree upon the measures to be implemented with the beneficiaries and their 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.

90. 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.

91. 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.

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

93. Approved on December 12, 2025 by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Edgar Stuardo Ralón Orellana, Second Vice-President; Roberta Clarke; Carlos Bernal Pulido; and Gloria Monique de Mees, members of the IACHR.

