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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 11/2025**

Precautionary Measure No. 1123-19  
María Patricia Arce Guzmán and her children regarding Bolivia  
February 1, 2025  
Original: Spanish

**I. SUMMARY**

1. The Inter-American Commission on Human Rights (IACHR) decided to lift these precautionary measures in favor of María Patricia Arce Guzmán and her children in Bolivia. At the time of making the decision, the Commission recognized the measures taken by the State during the implementation, as well as the passage of time without threatening events. After several requests for information to the representation and the State's request to lift the measures, no response has been received from the representation in a period of time. Taking into account the nature of the precautionary measures and in light of the information available, the Commission considered that at this time it is not possible to establish a threatening situation under the terms of Article 25 of the Rules of Procedure, and decided to lift the measures.

**II. BACKGROUND INFORMATION**

2. On December 25, 2019, the IACHR granted precautionary measures in favor of María Patricia Arce Guzmán and her children, in Bolivia. The request alleged the existence of a situation presenting a risk, following events of violence that took place in the Mayor's Office of Vinto on November 6, 2019, where the beneficiary was serving as mayor. On that occasion, Arce Guzmán had been subjected to strong acts of violence, intercepted by third parties who moved her around the town, beat her with different objects, threw water with locust, bleach and paint and cut her hair, being held for about three hours. Subsequently, it was reported that threats were received against her. Consequently, in accordance with the provisions of Article 25 of its Rules of Procedure, the IACHR requested that the State of Bolivia:

- a. Adopt the necessary measures to protect the rights to life and personal integrity of Maria Patricia Arce Guzmán, and her duly identified children, in accordance with the standards established by international human rights law, including the protection of their rights in relation to acts of risk attributable to third parties;
- b. Consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- c. Report on the actions undertaken to investigate the alleged facts that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.<sup>1</sup>

3. The representation is exercised by Javier Rodríguez, Thomas Becker, James Cavallaro, and Boris Salazar Lizárraga.

**III. INFORMATION PROVIDED DURING THE TIME THESE PRECAUTIONARY MEASURES WERE IN FORCE**

**A. Procedure during the time the measures were in force**

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<sup>1</sup> IACHR [Resolution 68/2019](#), Precautionary Measure No. 1123-19, María Patricia Arce Guzmán and her children regarding Bolivia, December 25, 2019.

4. During the time the precautionary measures were in force, the Commission followed-up on the situation by requesting information from the parties and holding working meetings. In this regard, communications have been received from the parties and sent from the IACHR on the following dates:

	<b>State</b>	<b>Representation</b>	<b>IACHR</b>
2019	December 30	No information	
2020	January 21, May 18, June 4, August 21 (time extension), and September 2	February 29; April 27; May 13; July 2, 3 and 26; August 4 and 26; September 1 and 23; and October 7	January 3 (time extension) and 31; April 22; May 1; May 20 (time extension); June 22; August 12 and 27 (time extension)
2021	No information	October 15;	January 5; September 30;
2022	July 20; November 17; December 29;	No information	July 29; December 7
2023	February 24; June 7; November 10	January 1; March 1; August 9	January 26; March 13; July 25; August 10; December 29
2024	August 30	No information	April 5; July 2; and September 25

5. On February 29, 2020, the representation asked to request provisional measures from the Inter-American Court. On April 22, 2020, the IACHR notified the parties of its decision not to request provisional measures and to continue monitoring the precautionary measures. On May 14, 2020, a working meeting was held with both parties. On June 4 and September 2, 2021, and July 20 and November 17, 2022, the State requested that the precautionary measures be lifted. On December 29, 2022 and January 1, 2023, both the State and the representation reported that they reached an agreement to request to maintain the precautionary measures. The State again requested the lifting in its communication of August 30, 2024, a petition that was transferred to the representation for its observations. In that opportunity, the IACHR indicated that it would assess whether these precautionary measures should remain in force, but it has not received a response. The representation has not sent any communications since its letter of August 9, 2023, despite the requests for information and reiterations made. All deadlines have expired.

**B. Information provided by the State**

6. The State indicated that in the consultation meeting of January 13, 2020, it was agreed as follows: i) offer police protection in favor of Arce Guzmán and her children, at her home and at the offices of the mayor’s office twenty-four (24) hours a day, extended to her relatives; ii) promote the effective criminal prosecution for the events of November 6, 2019; iii) send a note to the City Council of Vinto on the precautionary measures; and iv) provide psychiatric care in favor of María Patricia Arce Guzmán and her children. On January 17, 2020, progress was made with respect to the protection measures and a Commitment to Comply with Obligations was signed with the prosecutor of the case, by means of which it was established that, upon joining the Protection Program for Victims, Witnesses, Whistleblowers and Members of the Public Ministry, she was benefited with protection measures, clarifying the legal commitments and obligations and the duty of confidentiality regarding the protection measures. The State specified that the attention to the beneficiary has been given since November 26, 2019, coordinating with different authorities; and added that measures that were not provided for in the IACHR resolution were included.

7. Regarding a request for provisional measures from the representation, the State argued that there was no concrete, particular or sustained threat against the beneficiary and her family. It was added that the popular demonstrations issued on social networks were the result of an interview in which a woman senator had reported having denounced the beneficiary, but these could not be considered an attack on Ms. Arce’s psychological integrity. This, taking into account that public officials, such as the beneficiary, are exposed to greater scrutiny by society, so the criminalization allegedly violates freedom of expression and the right to

information. It was highlighted that there was no information of attacks against the psychological integrity of the beneficiary's relatives.

8. The State communicated about the confidentiality and voluntariness of the protection measures, which was allegedly accepted by Arce Guzmán at the meeting of January 21, 2020. In response to what was indicated by the representation on the withdrawal or payment of the protection measures, the State clarified that the breach of imposed obligations can be sanctioned with the cessation of the measures and cause actions of a civil nature to compensate the damages to the State. In relation to criminal proceedings against Arce Guzmán, the State clarified that most of the criminal cases against the beneficiary were from before November 2019<sup>2</sup> and corresponded to the control of the position held by the beneficiary. The State referred that these allegations and the claims related to them exceeded the scope of the precautionary measures, since the nature of the protection is not the pursuit of impunity.

9. According to the State, the Cochabamba police designated a police officer to provide security to the beneficiary, who performs accompaniment and transfer for three months, and was extended for four more months. In turn, members of the Vinto police guarded the beneficiary's home through permanent daily and nightly police patrols, a measure of three months and extended for one more. In this regard, the State affirmed that the protection measures agreed with the beneficiary and her representatives were being complied with, which had proven to be effective, since no circumstances had arisen that put the life and integrity of the beneficiaries at risk. Regarding the progress in the investigation of the events that occurred on November 6, 2019, the Public Prosecutor's Office managed to identify 16 alleged perpetrators, preparing the formal indictment of four people for the crimes of political violence against women, very serious injuries, serious injuries and deprivation of liberty, in addition to issuing an arrest warrant against another accused. For its part, due to the burning of the Mayor's Office of the Municipality of Vinto, the Public Prosecutor's Office continued to make progress in various investigative acts.<sup>3</sup>

10. The State reported that, since January 18, 2020, the City Council of Vinto was informed of the precautionary measures in favor of Ms. Arce. Similarly, through the Victim and Witness Protection Unit of Cochabamba, psychological support was being provided to the beneficiary and her family. On another note, the protection measures were in phase 4 of monitoring and evaluation, in order to determine their suitability, and verify the current status of the protected person and determine their level of risk, having decided to extend them on May 18, 2020. The State reiterated compliance with the aforementioned measures and affirmed that, after the events of November 6, 2019, the beneficiary continued to hold the position of Mayor of Vinto, in addition to being registered as a candidate for second senator by the Movimiento al Socialismo (MAS) party, which indicated that it does not correlate with the alleged fears or situation presenting a risk to her life and integrity. In addition, it was added that there was a possibility that the events of November 6 were a self attack, as reported by a senator, which is being investigated by the Public Ministry.<sup>4</sup> It was added that the post-electoral context assessed in the granting was no longer in force, and that social peace had been restored, without threatening events having materialized or an existing threat. In relation to the foregoing, it was indicated that on June 30, 2020, the Director of the Sectional Police Directorate of Vinto ordered to assess the

<sup>2</sup> Of the 16 complaints established against Arce Guzmán for crimes such as abuse of influence, breach of duties, concussion, contracts harmful to the state, among others, eight were established prior to November 2019 and, on its current status, it was indicated that five were closed, three rejected and eight are in the preliminary stage.

<sup>3</sup> It was reported on the performance of eye inspection, the issuance of requirements for the appointment of experts and points of expertise, the issuance of subpoenas for witnesses, the issuance of verification requirements and study of DVDs and flash memories accompanied by police reports so that they proceed with the extraction and freezing of images by laboratory personnel of the FELCC Quillacollo. The request was made to the specialized expert for the capture and freezing of images in order to identify those responsible for the events investigated and requirements were issued for telecommunications services. A request was also issued for Arce Guzmán to provide details regarding the persons mentioned in her informative statement.

<sup>4</sup> The State indicated that there is evidence that the beneficiary provided economic and human resources from the mayor's office to feed "miners" who clashed with citizens who protested against the electoral fraud of October 20, 2019, in addition to the fact that the young people who allegedly assaulted her and forced her to walk are part of her own team and maintain a close relationship, to the point that once the protests ended they were hired by the mayor's office as payment for the services provided during the protests.

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withdrawal of the protection elements, in the face of police reports of which no risk had been found or evidenced.

11. The State argued that the beneficiary's allegations that she was being attacked by the State and suffered political and social harassment for her political affiliation, and that her political enemies had tried to intimidate her now that she was a candidate for the Senate, also poisoning her dogs, represented a political instrumentalization of the inter-American system. It was noted that there was no impediment for her to report internally the alleged political harassment she warned. Thus, the State questioned that the beneficiary was not making use of the internal mechanisms and was making unfounded accusations before an international body. Regarding the criminal proceedings brought against the beneficiary for a crime against public health, it was specified that it originated from the complaint made by a group of neighbors of Arce Guzmán, for having been found in social meetings during the COVID-19 quarantine; the beneficiary challenged both the formal accusation and the detention to which she was subjected, appeals that were rejected, and then filed an appeal. It was said that the intention was to use precautionary measures to prevent the processes from continuing.

12. In September 2020, the State updated that, on August 24, 2020, a formal indictment was notified against persons linked to the events of November 6, 2019. Regarding claims of a person approaching the beneficiary's lawyer to confess alleged orders from a minister to intimidate and harm her, it was reported that those claims lacked support and were based on rumors that had not been reported. On the other hand, it was reported that another criminal action was initiated against the beneficiary, for having observed resources from the Municipality of Vinto in blockades of supplies to address the COVID-19 pandemic in August 2020. The State reiterated that the protection measures were effective and the existence of any risk had not been verified, requesting that the measures be lifted.

13. In July 2022, the lifting was requested in the absence of a risk against the beneficiary and given that the context of conflict was no longer in force, especially after the election of the new president of Bolivia in October 2020 and that the beneficiary performed her position as a senator as usual. In November 2022, it was updated that the proceedings initiated against the beneficiary in the previous government had been closed in their entirety through dismissals or rejection of complaints.

14. On December 29, 2022, the State requested, by agreement with the beneficiary, to maintain the precautionary measures in force. In February 2023, the State updated that, on the criminal process for the events of November 6, 2019, two defendants benefited from judicial forgiveness, one is serving a prison sentence and another was apprehended on February 23, 2023, pending the investigation of other authors. In addition, a process for denouncing political harassment against women to the detriment of the beneficiary was still underway and the threats and public harassment against her, in addition to the poisoning of her dogs, were reportedly investigated. The request to maintain the measures was reiterated.

15. In June 2023, the State announced that on March 30, 2023, it held a consultation meeting with the beneficiary and her representation and, subsequently, on May 5, 2023, a lawyer for the beneficiary sent a list of processes that involved her and her son, clarifying the State that no request was accompanied. The Public Ministry reiterated about the people detained for the events of November 2019, without referring to the list. Similarly, it was reported that, on February 11, 2023, the person identified as the main author of the events of November 6, 2019, was detained, being accused of political harassment against women to the detriment of the beneficiary. It was reported that the individual was sentenced on May 22, 2023, to a penalty of two years in prison, which would be appealed by the Public Ministry. In addition, among other things, an indictment was issued against the beneficiary's son for injuries against a person involved in the events of November 2019. It was clarified that there is no request for protection measures.

16. In November 2023, the State shared information from the Public Prosecutor's Office that indicated as follows: i) an appeal was filed against the sentence of May 22, 2023, in order to correct the criminal

type and conviction; on October 9, 2023, a hearing was held on the appeal; ii) on another process for political violence against women and other crimes against the beneficiary, the reopening of the investigations was resolved; iii) of the protection measures ordered in November 2019, there are no complaints of non-compliance; iv) in the investigation for damages to the building of the Municipality of Vinto, new proceedings were carried out; v) the dismissal of the case against the beneficiary's son was decided.

17. On August 2024, the State again requested the lifting of the precautionary measures. It noted that an investigation was being carried out against the leader of Resistencia Juvenil Cóchala (RJC) for political violence against women to the detriment of the beneficiary. In turn, protection measures were issued, consisting of restriction of approach and contact to the beneficiary and her family, against the person convicted as the main author of the events of November 2019. The State added that the beneficiary continued to serve as a senator for the MAS and the context of conflict that generated fear and anxiety did not persist. In turn, it was noted that the measures were adopted in consultation, including the agreement of December 29, 2022, to maintain the measures, and the meeting of March 30, 2023. Lastly, the State highlighted the actions for the investigation of the 2019 events, referring to three advanced criminal proceedings and updating that about ten new proceedings have been carried out during 2024 after the opening of the investigation in the case of the Mayor's Office of Vinto. The State reported that there were no new complaints filed by the beneficiary until July 25, 2024.

### **C. Information provided by the representation**

18. On February 29, 2020, the representation alleged that the State did not implement the precautionary measures and requested that provisional measures be requested before the Inter-American Court. Although a consultation meeting was held on January 13, 2020, where they agreed on protection measures for the beneficiary and her family, the beneficiary still did not have daily police protection nor had she observed the police patrols at her residence. The representation reported that the beneficiary continued to receive threats through text messages with private numbers and publicly through Twitter and Facebook. It was indicated that the Prosecutor's Office demanded the confidentiality of the precautionary measures granted or it could lose them, in addition to paying the State the costs incurred in their protection. It was added that the State had allegedly not provided the psychological or psychiatric support required by Arce Guzmán, so she had scheduled medical appointments and treatment through the municipal hospital. In addition, it warned of the lack of transparency in the investigation of the events of November 6, 2019, without any arrests or charges against those responsible. In addition, the representation questioned that the Prosecutor's Office had charged the beneficiary with a series of charges<sup>5</sup> due to complaints from several councilors that indicated that what happened that day corresponded to a self-attempt by the beneficiary, providing that an assemblywoman who declared that the beneficiary hired people to carry out the facts.

19. On the other hand, the representation denounced the arrest without a warrant of the beneficiary, her five children and the girlfriend of one of them, who was at their home, carried out by police officials and the representative of the Public Prosecutor's Office, on April 21, 2020, accusing them of consuming alcoholic beverages. After proceedings and a hearing, the beneficiary was charged with a crime against public health for allowing the entry of people outside her residence, imposing home detention for 20 days, presentation to the Public Prosecutor's Office every 7 days after the end of the quarantine, presentation of a medical certificate in order to establish if she was infected by COVID-19, and granting her permission to work from 5:00 a.m. to 12:00 p.m. The representation mentioned violations of various rights and political persecution, as well as that they disclosed their records and results of coronavirus tests through social media; and that they presented the respective actions.

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<sup>5</sup> The charges against her include sedition, separatism, contracts harmful to the State, public incitement to commit a crime, criminal association, breach of duties, among others.



20. The representation announced that, on March 6, 2020, the City Council suspended the beneficiary from the position of mayor for 30 days, after accusing her of non-compliance with requirements in several hiring processes, alleging that it was with the intention of discrediting her; and that she was later reinstated. The representation indicated that they continued without agreed police protection or psychological support, in addition to that the threats and stigmatization on social networks were increased after her detention. It was added that Ms. Arce had been pressured by the Public Ministry to declare that she was already recovered and that precautionary measures were not necessary. It was added that the government had pressured the beneficiary's psychologist to declare that the treatment had ended; however, Patricia Arce was unable to continue attending medical appointments due to the restriction due to COVID-19 and her house arrest.

21. The representation reported that, after the working meeting held before the IACHR on May 14, 2020, the State has ensured the implementation of the protection measures. Progress was recognized with police protection and psychological support, but it was said that the threats and stigmatization continued, as well as that the criminal proceedings against her have not been annulled. It was also denounced that vehicles of the mayor's office were kidnapped and the Public Ministry did not return them, due to orders from the central level to harm the beneficiary for being a candidate for senator. In addition, the representation argued that, although the proceedings against the beneficiary are prior to the events of November 2019, they were part of the criminalization and intimidation, so they were included in the precautionary measures. The representation added that, despite an indictment against those responsible for the kidnapping and torture of Arce Guzmán, the decision had not been notified, so the authors or their accomplices could retaliate. The representation affirmed that the beneficiary exercised her work as a public official "under a government extremely hostile to the members of her political movement," rejecting that the context had changed.

22. The representation announced that on July 21, 2020, the opponents of the beneficiary had "poisoned" her four dogs in an attempt to intimidate her now that she is a candidate for the Senate in the next elections, which is why she chose to hide with her family, in fear that "something worse" could happen. On the other hand, in August 2020, the beneficiary's lawyer was allegedly approached by a person who claimed to participate in the events of November 6, 2019, "confessing to possible attacks" against the beneficiary, since said person would be aware of the "expressions and orders" of the Minister of the Government to intimidate Arce Guzmán through a persecution against her daughter. The representation shared that, on August 25, 2020, the beneficiary was notified of a resolution of the Prosecutor's Office stating that the events that occurred in recent months had no effect on her emotional or psychological state, affirming that the representation was trying to minimize the seriousness of the situation.

23. On September 1, 2020, the representation reported that the security detail granted to the beneficiary, consisting of two members of the police, one who accompanied her daily and another who guarded her house, would be modified as of September 27, eliminating the surveillance of her residence. For its part, on September 21, 2020, the representation said that the Minister of Government pointed to Arce as the person responsible for booing a group of protesters against him in Quillacollo on September 12, 2020, complementing that "the mayor of Vinto is a lady who is looking for problems and will find them." The representation alleged that the foregoing constituted harassment, threats, slander, and defamation.

24. In October 2020, the representation indicated that through the "Inter-institutional Commission for Immediate Action," the municipality of Vinto was visited to investigate, among other things, the alleged "self-attempt" of the beneficiary. It was stated that this body sought to persecute her, two weeks before the general elections. In addition, the representation reported that it no longer had full-time bodyguards, had had to obtain psychiatric help on her own and had not received a response to its communications to the government. Likewise, the representation warned that the beneficiary "continues to receive threats," as well as that a person who participated in the events of November 6, 2019, pleaded guilty, for which they feared reprisals. The representation complemented that there was a change of government in Bolivia in 2020.

25. By communication received on January 1, 2023, the representation updated that, after the meeting with the State, they agreed to request keeping the precautionary measures in force. In March 2023, the representation warned that on the events of November 6, 2019, only the intellectual authors were prosecuted, but there were more than 50 attackers, so there are at least 45 aggressors of which some could be stalking her. In addition, a person who allegedly waged a campaign against the beneficiary was reportedly released. In turn, the representation communicated the relationship of the RJC leader in the events of November 2019 and the fear that the person was at liberty. It was added that Arce Guzmán continues to receive threats and harassment on social media, so she had to close her Twitter account, as well as that “strangers wait outside her home and workplace with the intention of intimidating her” since 2020; and until the date of the writing (without details). For its part, the representation reported that, in September 2022, again, unidentified persons poisoned and killed the beneficiary’s dogs. In another vein, it was reported that in April 2021, a person involved in the 2019 attack denounced the beneficiary’s son for injuries, alleging that the process was initiated to exert pressure and subject her to psychological stress and that “some of the cases” initiated by “self-abduction” would continue. A Twitter image was accompanied by statements from the beneficiary requesting an investigation against members of the RJC, to which people responded with qualifiers such as “narco-leaders,” “mintomana (sic),” “yours was a self-kidnapping,” “corrupt,” and other criticisms of the MAS.

26. In August 2023, the representation added that there was dialogue and consensus with the Bolivian government and repeated, in the same terms, the facts of the letter of March 2023. In addition, the representation added that in May 2023, the person identified as the main author of the events of November 6, 2019, was arrested, but the sentence was only two years. In this regard, the representation pointed out that the beneficiary is at risk as that individual is at liberty. The representation indicated that there was no identification of the authors for damages to the Municipality of Vinto or for political harassment against the beneficiary, which represents a risk to her. On the other hand, there was a violation of rights and guarantees in the imputation of the beneficiary’s son and it was stated that the Public Prosecutor’s Office has sought that the protection measures be at the request of the party, instead of implementing them ex officio upon having knowledge of the facts.

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

27. The precautionary measures mechanism is part of the Commission’s functions of overseeing compliance with the human rights obligations established 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; while the mechanism of precautionary measures is set forth in Article 25 of the Commission’s Rules of Procedure. In accordance with this Article, the IACHR grants precautionary measures in urgent and serious situations in which these measures are necessary to avoid irreparable harm to persons or to the subject matter of a petition or case before the organs of the inter-American system.

28. 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.<sup>6</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.<sup>7</sup> To do this, the IACHR shall assess the

<sup>6</sup> I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center \(Yare Prison\)](#), Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; [Matter of Carpio Nicolle et al. v. Guatemala](#), Provisional Measures, Order of July 6, 2009, considerandum 16.

<sup>7</sup> I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Matter 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.

problem raised, the effectiveness of state actions to address the situation described, and the vulnerability to which the persons proposed as beneficiaries would be exposed if the measures are not adopted<sup>8</sup>. Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under study by the organs of the inter-American system. 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 of the final decision. In this regard, precautionary or provisional measures allow the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations. 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.

29. In this sense, Article 25(7) of the Commission’s Rules of Procedure establishes that decisions granting, extending, modifying or lifting precautionary measures shall be adopted through reasoned resolutions. Article 25(9) sets forth that the Commission shall evaluate periodically, at its own initiative or at the request of either party, whether to maintain, modify or lift the precautionary measures in force. In this regard, the Commission shall assess whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary measures persist. Furthermore, it shall consider whether there are new situations that may meet the requirements outlined in Article 25 of its Rules of Procedure.

30. Similarly, the Commission recalls that while the assessment of the procedural requirements when adopting precautionary measures is carried out from a *prima facie* standard of review, keeping such measures in force requires a more rigorous evaluation.<sup>9</sup> In this sense, when no imminent risk is identified, the burden of proof and argument increases over time.<sup>10</sup> The Inter-American Court has indicated that the passage of a reasonable period of time without any threats or intimidation, added to the lack of imminent risk, may lead to the lifting of international protection measures.<sup>11</sup>

31. As a *preliminary matter*, the Commission recalls that through the mechanism of precautionary measures it is appropriate to analyze exclusively issues related to the requirements of seriousness, urgency, and irreparable harm established in Article 25 of the Rules of Procedure of the IACHR. In this regard, the Commission has consistently maintained that allegations referring to domestic proceedings before the competent entity require determinations on the merits, and therefore they should continue with their due process and with the guarantees established in the American Convention and the applicable standards.<sup>12</sup> In general, the analysis of the compatibility of domestic processes with the American Convention is not suited to

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<sup>8</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>9</sup> I/A Court H.R., [Case of Fernandez Ortega et al.](#), Provisional Measures regarding Mexico, Order of February 7, 2017, considerandums 16 and 17.

<sup>10</sup> I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited, considerandums 16 and 17.

<sup>11</sup> I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited, considerandums 16 and 17.

<sup>12</sup> IACHR, [Resolution 55/2021](#), Precautionary Measure No. 576-21, José Domingo Pérez Gómez and his family regarding Peru, July 25, 2021, para. 52; [Resolution 64/2023](#), Precautionary Measure No. 576-21, José Domingo Pérez Gómez and his family regarding Peru, November 8, 2023, para. 72.



the framework of the mechanism of precautionary measures. Hence, these issues will not be assessed in this resolution. Their analysis is a matter of the petition and case system, in the event that an individual petition is filed and the conventional and procedural requirements in force are met. Due to the very mandate of the Commission, it is not for it to determine either individual criminal liabilities as regards the events reported in this proceeding.

32. In analyzing whether the procedural requirements continue to be met, the Commission emphasizes that the purpose of this proceeding refers to the protection of the life and integrity of the beneficiary and her children, through the adoption of agreed measures, as well as investigating the facts that gave rise to the precautionary measures.<sup>13</sup> At the time of the granting, the Commission took into consideration the acts of violence that occurred on November 6, 2019, as well as the context of the socio-political crisis that Bolivia was experiencing at that time, in light of the lack of protection in those conditions.<sup>14</sup> Based on the information provided, the Commission notes the following:

- a. Protective measures. The security detail of María Patricia Arce was constituted by means of police protection for her and her children, as well as in the offices of the mayor's office. In turn, the Cochabamba police designated a police officer for their protection for three months, extended for another four; coupled with officers for the custody of their home, first for three months and extended for one more. Despite the initial delay noted by the representation in the implementation, it is noted that the same representation confirmed the effectiveness after the working meeting in May 2020.

On May 18, 2020, the measures were extended, based on the risk analysis. Although it was reported that on June 30, 2020, it was instructed to review the withdrawal of the police elements in charge of their security, based on the police reports that there was no evidence of any latent risk, the representation indicated that it was until September 27 that the surveillance at her home was withdrawn and until October 2020 that personalized security was withdrawn.

In addition, it is noted that, after the arrest in February 2023 of the person identified as the main author of the events of November 6, 2019, protection measures were issued in favor of the beneficiary and her relatives, against that person.

- b. Concertation actions. The Commission recognizes the concertation and communication efforts undertaken by the parties, reporting promptly to the granting of the first meetings on January 13 and 21, 2020. Therein, important agreements were reached for the implementation of security measures, progress in investigations, and even to provide psychological care. Subsequently, a new meeting was held in May 2020 to implement the measures.

The IACHR notes that, although communication challenges were alleged, the dialogue between the parties was resumed to a greater extent after the change of government in Bolivia, when the beneficiary's political party assumed the presidency. From the foregoing, the agreement between the parties to maintain these measures and use the procedure as a tool for dialogue, having new meetings on March 30 and May 5, 2023, focusing on the scope of the processes involving Arce Guzmán and her son. In August 2023, the representation confirmed the continuity of this dialogue and consensus. For the Commission, the foregoing represents good faith and the willingness of the parties to agree and address the issues that arise internally.

- c. Investigation of threatening events. The IACHR notes that the most relevant processes are those related to the events of November 6, 2019, with respect to which the State has been communicating

<sup>13</sup> IACHR, Resolution 68/2019, previously cited.

<sup>14</sup> IACHR, Resolution 68/2019, previously cited, paras. 24-29 *et al.*

about the progress in the investigation to sanction those responsible. Initially, 16 people were identified and four of them were formally charged with different crimes. These accusations were formally notified on August 24, 2020, and, for 2023, it was shared that two received a judicial pardon, one was serving a prison sentence and one more was apprehended in February 2023. In addition, the Commission positively appreciates that on February 11, the person who identified themselves as the main author of the events of November 6, 2019, was arrested, receiving a two-year sentence, on which the Public Ministry filed an appeal.

At the same time, the IACHR takes note of the information provided about other processes, including the reopening of investigation files for facts against Arce Guzmán for the conduct of new proceedings, including different ones in 2024 on the damages to the mayor's office that the beneficiary presided over.

- d. Situation presenting a risk. The IACHR notes that, although the representatives repeatedly warned of the constant threats against them and harassment in their homes and places of work, no specific details or facts were provided. The Commission recalls that in order to assess the procedural requirements, it is necessary to provide a minimum of detail of the reported risk.

The Commission notes that, according to the representation, on two occasions the beneficiary's dogs were poisoned, the first on July 21, 2020, and the second in September 2022. In this regard, although these facts are worrisome, the IACHR notes that more than two years have passed without any type of incident against Arce Guzmán and her family. In these conditions, added to the lack of response from the representation for a long period, it is not possible to currently identify a threatening situation.

In addition, according to what was reported by the parties, the beneficiary was able to continue to perform her position as mayor of Vinto, as well as later she was elected and has served as a senator, on the part of the MAS party, currently pro-government.

33. On the other hand, the last response of the representation in the framework of this procedure corresponds to August 9, 2023. Subsequently, after transfers of the State's reports and requests for observations and updates on several occasions, despite reiterations, no response has been received. The Commission recalls the importance of receiving regular updates on the situation presenting a risk.<sup>15</sup>

34. In evaluating compliance with the procedural requirements, and based on the review conducted, the Commission finds that the factual situation regarding María Patricia Arce Guzmán has changed. In particular, the existence of a current risk is not identified, in addition to the fact that the security details and investigation measures have been suitable and effective against possible reported incidents. In this regard, given the lack of information from the beneficiary's representation, it is also not possible to identify new threatening situations or shortcomings in the implementation of the precautionary measures. In this regard, the IACHR acknowledges the efforts made by the Bolivian authorities to comply with this precautionary measure.

35. Considering the nature of the precautionary measures mechanism, the information available, and the analysis carried out, the Commission acknowledges that it has no elements to support compliance with the requirements of Article 25 of its Rules of Procedure. Given the above, and taking into account the

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<sup>15</sup> IACHR, [Resolution 97/2024](#), Precautionary Measure No. 994-16, Lorenzo Mendoza and family regarding Venezuela, December 16, 2024, para. 17; and [Resolution 104/2024](#), Precautionary Measure No. 603-22, Child K.L.R regarding Mexico, December 27, 2024, para. 21.

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exceptional and temporary nature of precautionary measures,<sup>16</sup> the Commission considers that it is appropriate to lift these measures.

36. Lastly, the Commission emphasizes that regardless of the lifting of these measures, in accordance with Article 1(1) of the American Convention, it is the obligation of the State of Bolivia to respect and guarantee the rights recognized therein.

## **V. DECISION**

37. The Commission decides to lift the precautionary measures granted to María Patricia Arce Guzmán and her children, in Bolivia.

38. The Commission recalls that the lifting of these measures does not prevent the representation from filing a new request for precautionary measures, should they consider that there exists a situation presenting a risk that meets the requirements set forth in Article 25 of its Rules of Procedure.

39. The Commission instructs its Executive Secretariat to notify this resolution to the State of Bolivia and the representation.

40. Approved on February 1, 2025, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi  
Executive Secretary

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<sup>16</sup> I/A Court H.R., Matter of Adrián Meléndez Quijano et al., Provisional Measures regarding El Salvador, Order of August 21, 2013, para. 22; Matter of Galdámez Álvarez et al., Provisional Measures regarding Honduras, Order of November 23, 2016, para. 24.