

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 15/2025**

Precautionary Measure No. 45-25

Daniel García Morillo regarding Venezuela

February 18, 2025

Original: Spanish

I. INTRODUCTION

1. On January 14, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures filed by Coalición por los Derechos Humanos y la Democracia (“the requesting party”) urging the Commission to request that the Bolivarian Republic of Venezuela (the “State” or “Venezuela”) adopt the necessary measures to protect the rights of Daniel García Morillo (“the proposed beneficiary”). According to the request, the proposed beneficiary is the coordinator of the political party Vente Venezuela in the Manuel Dagnino parish in Maracaibo. It was indicated that he was detained on January 9, 2025, by members of the Bolivarian National Guard. To date, his relatives have not received official information on his whereabouts, so his conditions of detention and his current health are unknown.

2. Pursuant to the provisions of Article 25(5) of its Rules of Procedure and the Inter-American Convention on Forced Disappearance of Persons, the Commission requested information from the parties on January 15, 2025. The requesting party submitted additional information on January 16 and 26, 2025. To date, the IACHR has not received a response from Venezuela and the granted deadline has expired.

3. Upon analyzing the submissions of fact and law made by the requesting party, the Commission acknowledges that the proposed beneficiary is in a serious and urgent situation, given that his rights to life and personal integrity face a risk of irreparable harm. Therefore, pursuant to the provisions of Article 25 of its Rules of Procedure, the Commission requests that Venezuela: a) adopt the necessary measures to protect the rights to life and personal integrity of Daniel García Morillo. In particular, among others, disclose whether Daniel García Morillo is in the custody of the State and if so for what charges and by what legal authority as well as the circumstances of his detention; b) promote the necessary measures to ensure that the conditions of detention of the beneficiary are compatible with the applicable international standards on the matter, including: i. guaranteeing regular contact with and access to his family members, his trusted attorneys and representatives; ii. provide official information on the legal situation of the beneficiary in the framework of the criminal proceedings in which he is allegedly involved, such as the reasons why he has not been released to date, and whether he has been brought before a court for the review of his detention; and iii. immediately carry out a medical assessment of his health situation and guarantee access to necessary medical care; c) consult and agree upon the measures to be implemented with the beneficiary and his 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 requesting party indicated that Daniel García Morillo is a political activist and human rights defender. Currently, he is the coordinator of the political party Vente Venezuela in the Manuel Dagnino parish in Maracaibo. On January 9, 2025, around 4:00 p.m., the proposed beneficiary was deprived of his liberty by members of the Bolivarian National Guard in the Plaza la República located in the city of Maracaibo, Zulia state. The detention was classified as arbitrary and linked to his political activism.

5. The requesting party indicated that his whereabouts are unknown, so they consider that he is under enforced disappearance. In this regard, they warned that despite the search work they have carried out in at least five different detention centers, they have not received information about his whereabouts. The proposed beneficiary suffers from Immune Thrombocytopenic Purpura (ITP), a bleeding disorder in which the immune system destroys platelets, which are necessary for normal blood clotting. Such pathology reportedly requires constant and adequate medical attention.

6. On January 25, 2025, the requesting party communicated that it received information indicating that the proposed beneficiary was allegedly detained at the National Guard Command located on Av. Milagro in the city of Maracaibo, Zulia state. However, they stressed that, to date, this information had not been corroborated since the officers have refused to recognize the detention, as well as to answer about the place where he is being detained, the conditions of detention, the current state of health, whether he is being treated by medical professionals, and the legal situation of the proposed beneficiary. In addition, the mother of the proposed beneficiary reportedly indicated that her son is isolated and incommunicado. They consider that such a situation constitutes a form of cruel treatment.

7. Finally, it was warned that the family members have tried to file complaints. However, court and prosecutorial officials have not allowed it. For this reason, they affirmed that both the relatives and the technical defense of the proposed beneficiary continue not to know his whereabouts or his current physical or mental state.

B. Response from the State

8. The Commission requested information from the State on January 15, 2025. To date, no information has been received, and the granted timeline has expired.

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

9. 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 an irreparable harm to persons.

10. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.¹ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.² To do this, the IACHR shall assess the problem raised, the effectiveness of State actions to address the situation, and how vulnerable the proposed beneficiaries would be left in case the measures are not adopted.³ As for their precautionary nature, these

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

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

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

measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits, and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.⁴ In the process of reaching a decision, 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.

11. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.⁵ Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.⁶ This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without making any determination on the merits.⁷

12. By the same token, in understanding the facts alleged by the applicants, the Commission observes that the Inter-American Convention on Forced Disappearance of Persons, to which the State of Venezuela has been annexed since its ratification on July 6, 1998,⁸ considers forced disappearance “[...] the act depriving a person or persons of his or their freedom, in whatever way, perpetrated by agents of the state or by persons or groups of persons acting with the authorization, support, or acquiescence of the state, followed by an absence of information or a refusal to acknowledge that deprivation of freedom or to give information on the whereabouts of that person, thereby impeding his or her recourse to the applicable legal remedies and procedural guarantees.”⁹ In addition, the Inter-American Commission highlights what was established by the

⁴ I/A Court H.R., [Matter of the Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 7; [Matter of “El Nacional” and “Así es la Noticia” newspapers](#), Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; [Matter of Luis Uzcátegui](#), Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19.

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

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

⁷ In this regard, the Court has indicated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” See in this regard: I/A Court H.R., [Matter of James et al. regarding Trinidad and Tobago](#), Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2.

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

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

United Nations Working Group on Enforced or Involuntary Disappearances, in the sense that “there is no minimum time, however short, to consider that an enforced disappearance has occurred.”¹⁰

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

14. In its 2023 Annual Report, the Commission also observed the persistence of a coordinated repression policy, and recommended that the State of Venezuela refrain from carrying out illegal or arbitrary detentions. In cases where a person is deprived of their liberty, the State should ensure that all due process guarantees are upheld, including prompt presentation before an independent judicial authority, in order to prevent enforced disappearances, torture, and other cruel and inhumane treatment.¹² The Commission has recently condemned the practices of institutional violence in the context of the electoral process in Venezuela, such as violent repression, arbitrary detentions, and political persecution.¹³ The strategy of detention and criminalization appears to be specifically targeted at individuals perceived as opponents of the regime, including journalists, opposition leaders, human rights defenders, and others.¹⁴

15. On December 27, 2024, the IACHR approved the report titled “Venezuela: Serious Human Rights Violations in the Electoral Context” and reaffirmed that the State has been engaging in practices such as the arbitrary detention of opponents, human rights defenders, and social leaders,¹⁵ while using “terror as a tool of social control.”¹⁶ On January 9, 2025, the Commission learned of arbitrary detentions and forced disappearances, carried out days before the peaceful protests called by the opposition. These acts represent a new wave of the repressive pattern.¹⁷ Furthermore, it urged the State of Venezuela to immediately cease the persecution of opponents, human rights defenders, and journalists, and to promptly release all individuals detained for political reasons.¹⁸

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

17. Regarding the requirement of *seriousness*, the Commission considers that it has been met, given that Daniel García Morillo, a political activist and coordinator of the political party Vente Venezuela, was detained by State agents on January 9, 2025. From that moment on, his whereabouts or place of detention is not officially known. His conditions of detention and his current health are also unknown. In addition, the Commission has been informed that the detention is linked to his political activism, so it would prevent him from continuing with that work. In this regard, the Commission takes note of the profile of the proposed beneficiary and that his detention has been carried out by agents of the National Guard after the demonstrations by the opposition in Venezuela.

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

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

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

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

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

¹⁵ IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, OEA/Ser.L/V/II Doc. 253/24, December 27, 2024, para. 3.

¹⁶ IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, previously cited, para. 5.

¹⁷ IACHR, Press Release 09/25, [IACHR Condemns the Persistent State Terrorism Practices in Venezuela and Recalls that María Corina Machado is a Beneficiary of Precautionary Measures](#), January 9, 2025.

¹⁸ IACHR, Press Release 9/25, previously cited.

18. According to the applicant, despite the search actions carried out by the proposed beneficiary's relatives, who have gone to more than five detention centers, to date they have not received official information about his whereabouts or location. In this regard, the Commission was informed of the fact that the family was aware that the proposed beneficiary is purportedly deprived of liberty at the National Guard Command in Maracaibo, Zulia state. Notwithstanding, the officers of that center have refused to recognize the detention or the conditions in which he allegedly is. It has also been indicated that the proposed beneficiary remains incommunicado and isolated. Consequently, the Commission considers that the official information regarding the whereabouts of the proposed beneficiary or the authority that may have ordered his detention, if that is the case, remain unknown at this time.

19. This is in addition to the health situation presented by the proposed beneficiary. It was specified that he suffers from a bleeding disorder known as Immune Thrombocytopenic Purpura (ITP), which destroys platelets necessary for normal blood clotting. In this sense, the Commission expresses its concern that, given that the proposed beneficiary's whereabouts are unknown, it is not possible to ensure the conditions in which he finds himself or consider that he has the minimum guarantees necessary to protect his fundamental rights. This in turn leads to the possibility that he may lack medical attention for the bleeding disorder that afflicts him and for which he requires constant care.

20. The Commission also emphasizes that, in the current context, the family members and the attorney of the proposed beneficiary have been unable to seek his protection, due to the refusal of the authorities to receive the respective complaints. In this regard, the Commission finds that family members do not have the possibility of requesting protection measures at the domestic level or ensuring that the required actions are taken to locate the proposed beneficiary. The foregoing acquires greater significance in the analysis of the situation of the proposed beneficiary in view of the fact that agents of the National Guard are indicated as being responsible for his detention. In addition, the Commission has been informed that there are no details regarding the legal situation of the proposed beneficiary. In light of these facts, the Commission considers that Daniel García Morillo faces a situation of exceptional vulnerability in the absence of an official response, and that his family is unaware of his location or official whereabouts.

21. In view of the claims presented by the requesting party, the Commission regrets that the State of Venezuela has not replied to the Commission. Although this is not enough per se to justify the granting of a precautionary measure, it does prevent the Commission from obtaining information that allows it to contrast the allegations presented by the requesting party. Similarly, the Commission is unable to determine the actions that authorities may be taking to mitigate or address the risk faced by the proposed beneficiary. In this regard, the Commission expresses its particular concern given that State agents, who hold a special position as guarantors of human rights, have been identified as being responsible for the detention of the proposed beneficiary, given that they have him in their custody.

22. Lastly, the Commission observes that, considering the previous assessments, in the context of Venezuela and the applicable *prima facie* standard, it has been demonstrated that the rights to life and personal integrity of Daniel García Morillo are at serious risk, especially after his detention allegedly carried out on January 9, 2025, in Maracaibo by agents assigned to the National Guard, and since his whereabouts are currently unknown.

23. With regard to the requirement of *urgency*, the Commission notes that it has been fulfilled, as long as Daniel García Morillo's whereabouts remain unknown, and given the passage of time, which increases the possibility that his rights may be affected. Therefore, the Commission considers it necessary to adopt immediate measures to safeguard the rights of the proposed beneficiary.

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

IV. BENEFICIARY

25. The Commission declares Daniel García Morillo beneficiary of the precautionary measures, who is duly identified in this proceeding.

V. DECISION

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

- a) adopt the necessary measures to protect the rights to life and personal integrity of Daniel García Morillo. In particular, among others, disclose whether Daniel García Morillo is in the custody of the State and if so for what charges and by what legal authority as well as the circumstances of his detention;
- b) promote the necessary measures to ensure that the conditions of detention of the beneficiary are compatible with the applicable international standards on the matter, including: i. guaranteeing regular contact with and access to his family members, his trusted attorneys and representatives; ii. provide official information on the legal situation of the beneficiary in the framework of the criminal proceedings in which he is allegedly involved, such as the reasons why he has not been released to date, and whether he has been brought before a court for the review of his detention; and iii. immediately carry out a medical assessment of his health situation and guarantee access to necessary medical care;
- c) consult and agree upon the measures to be implemented with the beneficiary and his 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.

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

28. 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.

29. The Commission instructs its Executive Secretariat to notify this resolution to the Bolivarian Republic of Venezuela and the requesting party.

30. Approved on February 18, 2025, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary