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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 21/2025**

Precautionary Measure No. 143-25

**Carlos Marcelino Chancellor Ferrer regarding Venezuela**

February 28, 2025

Original: Spanish

**I. INTRODUCTION**

1. On February 11, 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 Defiende Venezuela (“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 Carlos Marcelino Chancellor Ferrer (“the proposed beneficiary”). According to the request, the proposed beneficiary is a 65-year-old opposition politician and former mayor of the municipality of Sifontes, in the state of Bolívar. He has been detained since August 6, 2024, following the post-election context in Venezuela. To date, he remains without access to medical care for his illnesses.

2. Pursuant to Article 25(5) of the Rules of Procedure, the Commission requested information from both parties on February 12, 2025. The requesting party responded on February 24, 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 recognizes that the proposed beneficiary is in a serious and urgent situation, given that his rights to life, personal integrity, and health are at risk of irreparable harm. Therefore, pursuant to Article 25 of its Rules of Procedure, the Commission requests that Venezuela: a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Carlos Marcelino Chancellor Ferrer; b) implement sufficient measures to ensure that the beneficiary’s detention conditions are compatible with applicable international standards. In particular, the following: i. immediately carry out a medical assessment of his health situation and guarantee access to the necessary medical care; ii. facilitate contact with his trusted lawyer, giving him access to the criminal file that is being processed against the beneficiary; and iii. inform the representation about the reasons for which the beneficiary continues to be deprived of liberty and the judicial decisions regarding his legal situation; c) consult and agree upon the measures to be adopted 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 request indicated that Carlos Marcelino Chancellor Ferrer has been an active politician since 1999, a militant of the “R Cause” since 1996, and mayor of the municipality of Sifontes, Bolívar state, Venezuela, since 1998, being re-elected four times. It was reported that he has a history of persecution by the State due to his political leadership and his manifest opposition to state policies. In this context, he was reportedly detained in 2005 and 2020, allegedly in an unfair way, for protesting against the mining policies of the government of former President Hugo Chávez.

5. On August 6, 2024, the proposed beneficiary was detained, allegedly arbitrarily, while traveling to the city of Barcelona, in the state of Anzoátegui, to visit his 9-year-old son. It was reported that the

detention occurred around 2:00 p.m. at the Citizen Attention Post “La Guarapera,” in the city of El Tigre. At that time, he was traveling accompanied by J.C.J.C., who was driving the vehicle due to the vision problems presented by the proposed beneficiary. At the checkpoint, officers of the Bolivarian National Guard (GNB) stopped the vehicle and requested documentation. The proposed beneficiary and his companion were separated and held for approximately two and a half hours. Then, a commission from the General Directorate of Military Counterintelligence (DGCIM) arrived and transferred the proposed beneficiary to the headquarters of the Bolivarian National Intelligence Service (SEBIN) in Puerto Ordaz, Bolívar state. His companion was released. That same night, the security forces took the proposed beneficiary on a plane to the SEBIN headquarters in El Helicoide, Caracas, where he remains detained to date. The requesting party indicates that an arrest warrant was not presented.

6. His detention reportedly occurred in the post-electoral context in Venezuela. His relatives stated that he did not participate in demonstrations or rallies of a violent nature, and that he exercised his right to vote peacefully.

7. After a month without information about the proposed beneficiary, the Public Defense Coordination reportedly informed his relatives who the assigned defense attorney was, that the investigation was in charge of the 48th National Prosecutor’s Office, and that the case was being handled by the Third Control Court with jurisdiction over terrorism. The relatives presented in the defender’s office the elements of conviction in favor of the detainee, including witnesses, medical reports, personal references, letters from a livestock producer, among others. It was also alleged that they traveled on several occasions from Tumeremo to Caracas to find out the reasons for his detention and his current health condition. However, the public defender did not attend to them.

8. The requesting party reported that the proposed beneficiary suffers from a delicate state of health, with chronic pathologies that can be complicated and put his life at risk. In particular, it was specified that he is a 65-year-old person, who suffers from high blood pressure, diabetes, tinnitus, and an ocular pathology linked to retinal degeneration. Before his detention, the ophthalmologist diagnosed him with angioid streaks, active neovascular membrane, cystic macular edema, and macular scar. Therefore, he purportedly requires monthly medical treatment to avoid total loss of vision.

9. During a visit, the proposed beneficiary’s family members were able to notice the presence of a tumor mass in the skull that continues to expand, causing dizziness and migraines. The SEBIN authorities have not provided reports that show the recent evolution of his pathologies, which prevents knowing the current state of his health. It was mentioned that he is being held in a small cell shared with about twenty people, with a high level of humidity. This has caused inmates, including the proposed beneficiary, to have constantly damp clothing, causing him to suffer from sinusitis, thus aggravating his health condition.

10. The Minister of the Interior and Justice, Diosdado Cabello, through the television program “Con el Mazo Dando,” allegedly accused the proposed beneficiary of being involved in the planning of the murder of the mayor of Uputa, along with members of the campaign team of María Corina Machado and two Spanish citizens. However, the proposed beneficiary told his relatives that, at a preliminary hearing held at the same headquarters of El Helicoide, without the presence of his trusted lawyer, he was accused of the crimes of incitement to hatred, rebellion, and terrorism. To date, the file has not been referred to a trial court for further prosecution. The requesting party reported that the imposed defender has not provided them with access to his actions, writings, or proceedings that he has consigned.

11. On November 1, 2024, the relatives filed a complaint with the Ombudsperson’s Office, in particular, reporting the proposed beneficiary’s medical conditions. Likewise, on January 24, 2025, they filed a complaint with the Human Rights Directorate of the Public Ministry requesting a change of measure before the

court of the case due to his health condition. However, to date, the authorities have not carried out any action to guarantee the rights of the proposed beneficiary.

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

12. The Commission requested information from both parties on February 12, 2025. To date, no information has been received from the State, and the granted timeline has expired.

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

13. 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.

14. 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>1</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.<sup>2</sup> 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.<sup>3</sup> 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.<sup>4</sup> In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

- a. "serious situation" refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. "urgent situation" refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and

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<sup>1</sup> 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.

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

<sup>3</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>4</sup> 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.

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

15. 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.<sup>5</sup> Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.<sup>6</sup> This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without making any determination on the merits.<sup>7</sup>

16. As regards the *context*, the Commission has been monitoring the rule of law and human rights situation in Venezuela since 2005,<sup>8</sup> 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 situation, known as MESEVE.

17. 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,<sup>9</sup> while using “terror as a tool of social control.”<sup>10</sup>

18. In the framework of its 191st Period of Sessions between November 4 and 15, 2024, the IACHR held a hearing and a press conference where it addressed the generalized situation of human rights violations in Venezuela in the post-electoral context. The IACHR emphatically called on the current regime to put an end to the repression and release those identified as political prisoners.

19. 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.

20. Regarding the *seriousness* requirement, the Commission considers that it has been met. When assessing the factual elements, considering the arguments offered by the requesting party, and given that these are not disproved by the State, the Commission understands that the proposed beneficiary is exposed to the following factors.

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

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

<sup>7</sup> 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.

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

<sup>9</sup> IACHR, [Venezuela: Serious Human Rights Violations in the Electoral Context](#), OEA/Ser.L/V/II Doc. 253/24, December 27, 2024, para. 3.

<sup>10</sup> IACHR, [Venezuela: Serious Human Rights Violations in the Electoral Context](#), previously cited, para. 5.

- The proposed beneficiary is a notorious figure in the country's longstanding opposition, since senior State officials have linked him to María Corina Machado, with broad visibility from the opposition. In this regard, he is being prosecuted for crimes of incitement to hatred, rebellion, and terrorism, criminal definitions that the Commission has identified as being used to prosecute various members of the Venezuelan opposition.<sup>11</sup>
- Following his detention on August 6, 2024, it was alleged that family members had no information about his situation for approximately one month. Then, they learned that a public defender was appointed, with whom the family has difficulty obtaining information.
- It is not possible to appoint a trusted lawyer, having only a public defender imposed for the processing of the criminal proceedings in which he is involved.
- The proposed beneficiary is an older adult who suffers from multiple chronic pathologies that require medical attention. In particular, it was reported that he could lose his vision and is said to have a tumor mass in his skull, which is reportedly expanding, causing dizziness and migraines. After his detention, the evaluation of his state of health is unknown, and it has been alleged that he has not undergone a medical evaluation, or any information in this regard.
- Despite his delicate state of health, the proposed beneficiary is reportedly being held in a small cell with about 20 people, exposed to high levels of humidity.
- Faced with the inaction of his public defender, the requesting presented the situation of the proposed beneficiary to the Ombudsperson's Office, and the Human Rights Directorate of the Public Ministry. However, it was noted that no measures had been taken to safeguard his rights.

21. Considering the aforementioned elements, the Commission considers that the proposed beneficiary is in a situation of complete lack of protection against the risks he currently faces, considering his status as an older adult, his state of health compromised by various chronic pathologies, and his deprivation of liberty in the post-electoral context in Venezuela.

22. Upon requesting information from the State, the Commission regrets its lack of response. Although the foregoing is not enough per se to justify the granting of a precautionary measure, it prevents the Commission from being aware of the observations or measures taken by the State to address the alleged risk that the proposed beneficiary faces. Therefore, the Commission does not have elements that would allow it to dispute the facts mentioned by the requesting party, nor to assess whether the risk that the proposed beneficiary faces has been addressed or mitigated. In this regard, the Commission expresses its particular concern given that the proposed beneficiary continues in the alleged situation in the custody of the State, which has a special position as guarantor of human rights. It further impacts his vulnerability that the State has not reported any measures in his favor despite the reinforced protection he deserves due to his age.<sup>12</sup>

23. In summary, the Commission concludes that, according to the applicable *prima facie* standard, it is sufficiently proven that the rights to life, personal integrity, and health of the proposed beneficiary face a serious risk within the framework of the detention conditions in which he currently finds himself.

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<sup>11</sup> IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, previously cited, para. 79. See also: IACHR, Press Release 184/24, [IACHR and SRFoE condemn State terrorism practices in Venezuela](#), August 15, 2024.

<sup>12</sup> I/A Court H.R., [Case of Poblete Vilches et al. v. Chile](#), Judgment of March 8, 2018, para. 127.

24. With regard to the requirement of *urgency*, the Commission finds that Carlos Marcelino Chancellor is an older adult who is in the custody of the State, and is not receiving medical care or treatment for his pathologies, nor is there information on his current state of health. In addition, the relatives are said to depend on the public defender, who has been imposed by the State. That defender allegedly did not provide sufficient information about the proposed beneficiary, which would prevent the initiation of the corresponding actions for his defense and protection. Consequently, the Commission considers that, over time, there is an increasing likelihood of the materialization of the effects on his rights and, in particular, the deterioration of his health under the conditions alleged. Therefore, it is necessary to immediately adopt measures to safeguard his rights to life, personal integrity, and health.

25. 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. BENEFICIARY**

26. The Commission declares Carlos Marcelino Chancellor Ferrer as the beneficiary of the precautionary measures, who is duly identified in this proceeding.

#### **V. DECISION**

27. 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, personal integrity, and health of Carlos Marcelino Chancellor Ferrer;
- b) implement sufficient measures to ensure that the beneficiary's detention conditions are compatible with applicable international standards. In particular, the following:
  - i. immediately carry out a medical assessment of his health situation and guarantee access to the necessary medical care;
  - ii. facilitate contact with his trusted lawyer, giving him access to the criminal file that is being processed against the beneficiary; and
  - iii. inform the representation about the reasons for which the beneficiary continues to be deprived of liberty and the judicial decisions regarding his legal situation;
- c) consult and agree upon the measures to be adopted 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.

28. 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.

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29. 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.

30. The Commission instructs its Executive Secretariat to notify this resolution to the State of Venezuela and the requesting party.

31. Approved on February 28, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Arif Bulkan, Second Vice-President; Edgar Stuardo Ralón Orellana; Roberta Clarke; Carlos Bernal Pulido; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi  
Executive Secretary