

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 27/2025**

Precautionary Measure No. 247-25

Lucas Jonas Hunter regarding Venezuela

March 22, 2025

Original: Spanish

I. INTRODUCTION

1. On March 7, 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 the NGO *Foro Penal* (“the applicant”) urging the Commission to request that the Bolivarian Republic of Venezuela (the “State” or “Venezuela”) adopt the necessary measures to protect the rights of Lucas Jonas Hunter, a citizen of France and the United States (“the proposed beneficiary”). According to the request, on January 7, 2025, the proposed beneficiary got lost while driving his motorcycle near Paraguachón, in the department of La Guajira in northern Colombia, and was detained by officials of the Bolivarian National Guard of Venezuela at the border checkpoint. As of January, his whereabouts remain 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 State on March 17, 2025. To date, the IACHR has not received a response from Venezuela, and the previously granted deadline has expired. The applicant provided additional information on March 12 and 16, 2025.

3. Upon analyzing the submissions of fact and law furnished by the requesting party, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that his current location is unknown to date. Consequently, 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 the beneficiary. In particular, i. inform whether the beneficiary is in the custody of the State and the circumstances of his detention; or the measures taken to determine his whereabouts or fate; ii. specify whether the beneficiary was brought before a competent court to review his detention if he has been charged with a crime; iii. expressly indicate the court that reportedly hears his criminal case, if any, or the reasons why he has not been released to date; iv. allow the beneficiary to communicate with his family and trusted legal representatives, giving them full access to his criminal file, if any; v. report whether the beneficiary has been provided with access to a translator or interpreter in order to gain accurate knowledge of his situation and exercise his rights; and vi. allow the beneficiary to communicate with his countries of nationality; and b) report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. According to the request, Lucas Jonas Hunter, a French and American citizen, works as an investment analyst and does not speak Spanish. The proposed beneficiary was in the north of Colombia practicing kite surfing. On January 7, 2025, he was detained in Colombian territory while driving his motorcycle near Paraguachón in the department of La Guajira, located in northern Colombia on the border with Venezuela. The proposed beneficiary was allegedly detained after getting lost near the border and spotting a Bolivarian National Guard (GNB) border control checkpoint. Despite not having any intention to enter the country, instead attempting to return to Colombia, it is believed that GNB agents entered him into Venezuela.

5. On the day of his arrest, the proposed beneficiary was able to communicate with his sister, via audio messages on WhatsApp between 1:30 p.m. and 5:42 p.m. (Colombia time). The applicant indicated that the content of the messages shows that Venezuelan police and military authorities deprived the proposed beneficiary of his liberty for several hours, with the intervention of officials from the Administrative Service of Identification, Migration and Foreigners (SAIME), and the General Directorate of Military Counterintelligence (DGCIM). In his messages, the proposed beneficiary was able to provide his location and confirmed that he was on the Venezuelan side of the border. At 1:30 p.m., the intended beneficiary informed his sister that he was held at a “police station” for four hours, during which he was interrogated. The proposed beneficiary stated that he believed that the authorities were about to release him. At 4:44 p.m., he told her that he might be transferred to Caracas for three days for another interrogation. Lastly, at 5:42 p.m., he informed her that he was not allowed to leave the “police station” and that he could not understand what was happening. This was his last exchange with his family. Since then, there has been no communication and his whereabouts remain unknown.

6. The applicant claims that the detention was arbitrary, as there was no justifiable reason for it. Furthermore, it claims that the proposed beneficiary has been denied the support of the French and North American consular authorities, as they have not been notified of the criminal proceedings against him, nor has there been any official notification regarding his fate or whereabouts. The foregoing, despite the fact that the proposed beneficiary’s sister sent the corresponding authorizations for the diplomatic representatives of France and the United States to provide consular assistance, on February 3 and 6, 2025, respectively. It emphasized that the proposed beneficiary does not speak Spanish, and it is unclear whether a translator was provided to help him understand the reasons for his arrest. He has not been allowed to communicate with his family members or attorneys either.

7. The request stated that the Venezuelan state has refused to respond or provide information regarding the whereabouts of Lucas Jonas Hunter and his detention conditions, and therefore, they consider it a “forced disappearance.” Regarding the steps taken to locate the proposed beneficiary, it mentioned that on February 3 and 6, 2025, attorneys from the requesting organization held verbal communication with representatives of the French embassy in Caracas and the United States, notifying them of the proposed beneficiary’s arrest and the granting of request for his assistance, as presented by his sister. Moreover, on February 4, 13, and 25, as well as on March 2 and 12, 2025, the attorneys visited the DGCIM headquarters in Caracas; on February 6 and 18, 2025, they went to the SEBIN headquarters in Caracas; and on February 8, 27, and March 6, 2025, they visited the Rodeo I prison (Miranda). In all the aforementioned detention centers, the officials denied holding the proposed beneficiary.

8. Lastly, the applicant highlighted that on February 10, 2025, it attempted to file complaints with the Ombudsperson’s Office and the Public Prosecutor’s Office in Caracas for the crime of forced disappearance. These entities refused to accept the complaints, insisting that it had to be presented by one of the proposed beneficiary’s relatives. It also clarified that it is not currently possible to comply with this request as his family unit is not located in Venezuelan territory. In addition, on February 11, 2025, family members attempted to file a *writ of habeas corpus* in the Courts of Caracas, but the judicial authorities also refused to receive it. The applicant added that it continues to search for the proposed beneficiary and with the efforts to file the relevant complaints.

B. Response from the State

9. The Commission requested information from the State on March 17, 2025. However, despite the expiration of the given deadline, the State has not submitted its response to date.

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

10. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. The mechanism of precautionary measures is set forth in Article 25 of the Commission's Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to persons.

11. 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 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.

12. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed

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

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. (Available only in Spanish)

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).

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

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 determinations on the merits.⁷

13. In the same sense, in analyzing the facts alleged by the requesting party, 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 interprets forced disappearance as the act “[...] 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 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

14. 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.

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,¹² while using “terror as a tool of social control.”¹³ 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.

16. In addition to the above, within the framework of the precautionary measures mechanism, the Commission has identified that the State of Venezuela has previously detained foreign nationals in factual circumstances similar to those alleged in this matter under the current context in the country. For example,

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

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.

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

¹³ IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, previously cited, para. 5.

Alberto Trentini, an Italian national,¹⁴ Nahuel Agustín Gallo, an Argentinean national,¹⁵ Arley Danilo Espitia Lara, a Colombian national,¹⁶ and Jan Darmovzal, a Czech national.¹⁷

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

18. In reviewing the *seriousness* requirement, the Commission notes that since January 7, 2025, agents of the State of Venezuela have deprived the proposed beneficiary of his liberty and, to date, his official whereabouts are unknown. According to the available information, the proposed beneficiary was arrested by agents of the Bolivarian National Guard in the northern part of the department of La Guajira, in Colombia, specifically in Paraguachón. Despite the fact that the proposed beneficiary did not intend to enter the State of Venezuela, he was reportedly taken into that territory by Venezuelan state agents. In addition, the Venezuelan authorities have allegedly not provided minimal information on his legal situation. For instance, they have not disclosed his detention conditions; the specific crime for which he is being investigated; the competent court hearing the case; the criminal file number; whether there are judicial orders for his detention and transfer to a penitentiary; if he has undergone a medical evaluation since his detention; or the exact location where he is currently being held.

19. In addition to the above, no actions have been taken to ensure communication between the proposed beneficiary and the countries of which he is a national. Information has been denied to the consular authorities of France and the United States, as well as his family members. Furthermore, consular authorities, legal representatives, and attorneys who are in Venezuela have been prevented from providing support and assistance. In this regard, it is important to note that the proposed beneficiary does not speak Spanish. Therefore, if he does not have access to a translator or interpreter, he might face difficulties in communicating effectively, understanding his situation accurately, and exercising his rights.

20. The Commission also observes that, in fact, there are no domestic mechanisms to seek protection in favor of the proposed beneficiary. For example, family members do not have the minimal official information needed about his legal situation which would allow them to challenge the actions taken by state agents before the competent judicial authority. Similarly, attorneys have been denied the right to file reports of disappearances with the Ombudsperson's Office and the Public Prosecutor's Office, and have even been prevented from filing a writ of *habeas corpus* with the judicial authorities. Representatives and defenders of the applicant NGO were present in various detention centers, on several occasions, with the aim of determining the proposed beneficiary's whereabouts. However, the State's response has always been negative.

21. In light of all the above, and as long as the State fails to provide clear and precise information about his situation, the Commission believes that the proposed beneficiary remains in a state of complete vulnerability, with no protection against the risks he may currently be facing. These conditions could pose an imminent threat to his life and personal integrity.

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 alleged 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

¹⁴ IACHR, [Resolution 2/25](#), Precautionary Measure No. 1438-24, Alberto Trentini regarding Venezuela, January 7, 2025.

¹⁵ IACHR, [Resolution 1/25](#) Precautionary Measures No. 1432-24, Nahuel Agustín Gallo regarding Venezuela, January 1, 2025.

¹⁶ IACHR, [Resolution 99/24](#), Precautionary Measure No. 1331-24, Arley Danilo Espitia Lara regarding Venezuela, December 16, 2024.

¹⁷ IACHR, [Resolution 80/24](#), Precautionary Measure No. 1150-24, Jan Darmovzal regarding Venezuela, October 31, 2024.

that State agents, who hold a special responsibility as guarantors of the proposed beneficiary's human rights, have been identified as being responsible for his detention, since they have him in their custody.

23. Taking into account the foregoing, the Commission finds that, from the applicable *prima facie standard*, it is sufficiently proven that the rights to life and personal integrity of the proposed beneficiary face a situation of serious risk, since his whereabouts or fate are unknown to date after his detention on January 7, 2025.

24. Regarding the requirement of *urgency*, the Commission finds that it has been fulfilled, insofar as the proposed beneficiary's whereabouts remain unknown, and because, with the passage of time, the likelihood of violations of his rights increases. In addition to the above, the Commission emphasizes the attorney and family member's inability to initiate internal measures to locate the proposed beneficiary. Therefore, the Commission considers it necessary to adopt immediate measures to safeguard his rights.

25. 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

26. The Commission declares Lucas Jonas Hunter 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 and personal integrity of the beneficiary. In particular,
 - i. inform whether the beneficiary is in the custody of the State and the circumstances of his detention; or the measures taken to determine his whereabouts or fate;
 - ii. specify whether the beneficiary was brought before a competent court to review his detention if he has been charged with a crime;
 - iii. expressly indicate the court that reportedly hears his criminal case, if any, or the reasons why he has not been released to date;
 - iv. allow the beneficiary to communicate with his family and trusted legal representatives, giving them full access to his criminal file, if any;
 - v. report whether the beneficiary has been provided with access to a translator or interpreter in order to gain accurate knowledge of his situation and exercise his rights; and
 - vi. allow the beneficiary to communicate with his countries of nationality; and
- b) report on the actions taken to investigate the alleged facts that gave rise to this precautionary measure, 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.

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 March 22, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Arif Bulkan, Second Vice-President; Roberta Clarke; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary