



# INTER-AMERICAN COMMISSION ON HUMAN RIGHTS RESOLUTION 38/2025

Precautionary Measure No. 320-25
Aurora Carolina Silva Uzcátegui and her two daughters
regarding Venezuela
May 4, 2025
Original: Spanish

## I. INTRODUCTION

- 1. On March 20, 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 *Observatorio Venezolano de Prisiones* Venezuelan Observatory of Prisons ("the applicant" or "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 Aurora Carolina Silva Uzcátegui and her two daughters A.I.S.S. and A.S.S. ("the proposed beneficiaries"). According to the request, the proposed beneficiary is being subjected to threats, harassment, and surveillance by state agents as a result of public statements made in defense of the rights of her husband, Freddy Francisco Superlano Salinas, who has been deprived of his liberty.
- 2. Pursuant to Article 25 (5) of the Rules of Procedure, the Commission requested information from the State on April 22, 2025. To date, the IACHR has not received a response from Venezuela and the granted deadline has expired. The applicant provided additional information on April 14, 2025.
- 3. Upon analyzing the submissions of fact and law furnished by the applicant, in light of the applicable context, the Commission recognizes that the proposed beneficiaries are *prima facie* in a serious and urgent situation, given that their rights to life and personal integrity are at 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 Aurora Carolina Silva Uzcátegui, A.I.S.S., and A.S.S.; b) implement the corresponding measures to guarantee that Aurora Carolina Silva Uzcátegui can continue to carry out her activities in defense of human rights without being subjected to threats, harassment, or acts of violence in the exercise thereof. In particular, the State must ensure that state actors respect the beneficiaries' rights and personal integrity in accordance with the standards established by international human rights law, and in relation to acts of risk attributable to third parties; c) consult and agree upon the measures to be adopted with the beneficiary and her representation; and, d) report on the actions taken to investigate the alleged events that led to this resolution, so as to prevent them from reoccurring.

## II. SUMMARY OF FACTS AND ARGUMENTS

#### A. Information provided by the requesting party

4. The proposed beneficiaries are the family unit of Freddy Francisco Superlano Salinas: his wife, Aurora Carolina Silva Uzcátegui, and their two daughters, A.I.S.S. (seven years old) and A.S.S. (three years old). It was added that Aurora Carolina Silva Uzcátegui is an active member of the regional leadership of the opposition political party Voluntad Popular.¹ In 2021, she was reportedly a candidate for governor of the state of Barinas for the Mesa de la Unidad Democrática (MUD) to replace her husband, who was subject to political disqualification. However, when attempting to formalize her registration, the system showed that she was also

 $<sup>^{1}</sup>$  It was mentioned that she does social work to help children, support health and education, and promote projects against malnutrition in her community.





ineligible as a candidate. According to the applicant, the restriction was based on her relationship with her husband.

- 5. The applicant recalled that, prior to his detention, Freddy Francisco Superlano Salinas withdrew his candidacy in the "Primary Elections of the *Plataforma Unitaria Democrática*" to support María Corina Machado Parisca, leader of the Venezuelan opposition. In this regard, several threats against him were reported by Diosdado Cabello, Venezuela's current Minister of the Interior and Justice. In particular, on July 3, 2024, during the television program "Con el Mazo Dando," Diosdado Cabello mentioned that the political leader with the initials "FS"<sup>2</sup> (referring to Freddy Superlano) had an arrest warrant. As a result, he was detained by agents of the Bolivarian National Intelligence Service (SEBIN) on July 30, 2024.
- 6. Upon being detained, the applicant reported that on August 5, 2024, the Second Municipal Court of First Instance Acting as a Court of Review with Jurisdiction over Appeals for Protection of Liberty and Personal Security of the Criminal Judicial Circuit of the Caracas Metropolitan Area issued a notice of dismissal of the constitutional appeal filed on behalf of Freddy Francisco Superlano Salinas. This court indicated that he has been charged with the crimes of treason, conspiracy, terrorism, and association, indicating that "he was detained in the SEBIN."
- 7. Aurora Carolina Silva Uzcátegui assumed the responsibility of representing her husband in claims for his release and other fundamental rights. In this context, the applicant states that when dissidents advocate in defense of those who are detained, this could lead to their enforced disappearance, arbitrary detention, or other serious consequences.
- 8. Since Mr. Superlano Salinas was detained, the proposed beneficiary has not been able to visit her husband or confirm his current physical or mental health. The applicant points out that there is extreme uncertainty after several months without any contact or direct information on his whereabouts. Aurora Carolina Silva Uzcátegui spoke with several agents who have hinted to her that her husband is being held at "El Helicoide" headquarters. Although she regularly goes to that location to deliver clothing, food, and other items that he requests, the proposed beneficiary is not certain that her husband is actually being held there or is receiving the supplies. One of the wardens, who no longer works at the prison, reportedly told her that "her husband's case was very serious and that she would have to wait for the order from the president before she could visit him." The applicant warns that her husband remains in prolonged isolation and they have doubts about whether he is still alive.
- 9. It was reported that, following her husband's detention, Aurora Carolina Silva Uzcátegui received threatening phone calls. For example, on August 6, 2024, a man who identified himself as a SEBIN officer warned her to "tone down her media presence so that her husband's situation could be resolved." In addition, she received multiple calls from people she knew in the state of Barinas, whose identities she did not want to reveal for their safety. They allegedly warned her that "they were telling her to stop posting, to tone down her media presence because they were going to put her in prison too." This allegedly confirms the permanent surveillance against the proposed beneficiary. It was stated that Aurora Carolina Silva Uzcátegui, a native of Barinas, must travel every week for more than six hours by car, or one hour by plane, to the city of Caracas, where she believes her husband is being held. The applicants expressed concern that any threat against her would materialize.
- 10. On January 10, 2025, the date Nicolás Maduro scheduled his inauguration as president of Venezuela, SEBIN officials approached the proposed beneficiary as she stood outside the "El Helicoide" headquarters, accompanied by a group of women who were relatives of other detainees.<sup>3</sup> The agents warned her "not to go there during those days, because she was on the radar." Due to concerns about being detained, she decided to remain in hiding that week.

<sup>3</sup> It was mentioned that she was with Carol Figueredo de Guanipa, wife of Pedro Guanipa; María Livia de Pilieri, wife of Biagio Pilieri; María de Grazia, daughter of Américo de Grazia; and others.

<sup>&</sup>lt;sup>2</sup> Radio Miraflores, <u>Cabello condemns acts of the opponent "FS" for inciting hatred</u>, July 3, 2024.





- 11. On March 11, 2025, almost a week after Aurora Carolina Silva Uzcátegui participated in a public hearing of the IACHR,<sup>4</sup> another agent allegedly warned her live on camera to "stop messing around (causing trouble) on social media." The proposed beneficiary believes that she is being monitored through her social media posts. The applicant reported that vehicles with tinted windows and no license plates remain parked at the gate of the residential complex where the proposed beneficiary's residence is located. They indicated that these vehicles constantly follow both the proposed beneficiary and her daughters, even when they are going to school. For example, on April 1, 2025, she observed a white Orinoco vehicle parked in front of her residence for the whole day.
- 12. It was reported that when Aurora Carolina Silva Uzcátegui participates in activities in defense of the rights of "political prisoners," at least four SEBIN officials —dressed in black or, sometimes, in uniform—follow her in black Toyota trucks. The agents photograph her and the vehicle in which she is transported, thus continuously monitoring her. When the proposed beneficiary's vehicle parks, the agents' trucks also stop behind it, and the officers get out immediately when she does. They then follow her to the location where the meeting takes place. They take photographs of everyone present, including journalists attending the rallies. Several photographs were attached showing the agents taking photographs and vehicles following the proposed beneficiary. In this regard, the following events that occurred during public gatherings were reported:
  - February 24 to 28, 2025: During the "Route for Justice and Freedom of Political Prisoners in Venezuela", an activity that was planned by the Committee for the Freedom of Political Prisoners (Comité por la Libertad de los Presos Políticos, CLIPPVE) and in which Aurora Silva actively participated in. The route took them to the Palace of Justice, the Public Defender's Office, the Ombudsperson's Office, the Ministry for Prison Services, and the Public Prosecutor's Office. In particular, on February 26, 2025, during the peaceful demonstration at the Ombudsperson's Office, SEBIN agents were reportedly present taking photos of everyone present and displaying their weapons. Similarly, on February 27, 2025, these agents were reportedly observed during the tour of the Ministry for Prison Services.
  - March 28, 2025: At a rally at the United Nations headquarters in Caracas, SEBIN agents allegedly continued to follow Aurora Silva to the meeting point, then blend in with the participants in order to take photographs of her and monitor her activities.
  - On April 10, 2025, during the vigil held at SEBIN headquarters in El Helicoide, the agents were also reportedly present alongside other individuals dressed in civilian clothing and members of the Bolivarian National Police (PNB).<sup>5</sup>
- 13. It was reported that relatives of other detainees (whose visits were not restricted) passed on written warnings, allegedly sent by her husband, to the proposed beneficiary. In them, he reportedly warned her "not to overexpose herself" and that "he was concerned for her safety because she was on the radar." The proposed beneficiary considers that these warnings could be due to conversations her husband had with the agents or to information he learned inside the detention center.
- 14. The applicant noted that Aurora Carolina Silva Uzcátegui expressed fearing for her life, and her two daughters' lives. To cope with this situation, she receives emotional support through sessions with a *coach* once a week or every two weeks. As for her daughter, A.I.S.S., seven years old, she was reportedly diagnosed with anxiety disorder, and received psychological therapy. According to reports, her symptoms have worsened significantly since her father's detention, as she is aware of the facts. Meanwhile, their other daughter, A.S.S., three years old, has come to identify SEBIN as "the people who always follow them." The applicant highlighted that the girls live in a constant state of alert and psychological distress.

<sup>4</sup> In the following hearing: IACHR, <u>Situation of adolescents and adults deprived of liberty in the post-electoral context</u>, 192 Period of Sessions, March 5, 2025 (Auto-generated subtitles in English available).

<sup>&</sup>lt;sup>5</sup> The proposed beneficiary reported that, because of this activity, visits to detainees who were not in prolonged isolation were suspended.





15. Lastly, it was stated that the facts presented were not reported to state agencies, as the proposed beneficiary expressed that she does not trust these institutions and even considers them to be one of the parties responsible for the persecution of her family unit.

#### B. Response from the State

16. The Commission requested information from the State on April 22, 2025. To date, no information has been received from them, and the granted timeline has expired.

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

- 17. 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.
- 18. 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 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>8</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>9</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;

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

<sup>&</sup>lt;sup>7</sup> I/A Court H.R., <u>Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center</u>, Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; <u>Case of Bámaca Velásquez</u>, Provisional measures regarding Guatemala, Order of January 27, 2009, considerandum 45; <u>Matter of Fernández Ortega et al.</u>, Provisional measures regarding Mexico, Order of April 30, 2009, considerandum 5; <u>Matter of Milagro Sala</u>, Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish).

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

<sup>&</sup>lt;sup>9</sup> I/A Court H.R., <u>Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center</u>, Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 7; <u>Matter of "El Nacional" and "Así es la Noticia" newspapers</u>, Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; <u>Matter of Luis Uzcátegui</u>, Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19 (Available only in Spanish).





- 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.
- 19. 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>10</sup> Similarly, the Commission recalls that, by its own mandate, it is not within its purview 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>11</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 carried out without making any determination on the merits. <sup>12</sup>
- 20. As regards the context, the Commission has been monitoring the rule of law and human rights situation in Venezuela since 2005,<sup>13</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 country, known as MESEVE. 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.<sup>14</sup> The IACHR emphatically called on the current regime to put an end to the repression and release those identified as political prisoners.<sup>15</sup> 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>16</sup> while using "terror as a tool of social control." <sup>17</sup>
- 21. In 2025, the IACHR condemned the situation of persons deprived of their liberty in Venezuela in the context of the country. The IACHR identified that relatives have not yet received a formal communication about the detention center where their loved ones are held. In other cases, they have only been able to find out that they are alive and where they are being held through information shared by other inmates, or because officials from the Bolivarian National Intelligence Service call them to ask them to bring medicine or collect dirty clothes for washing.

<sup>&</sup>lt;sup>10</sup> I/A Court H.R., <u>Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua</u>, Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (Available only in Spanish); <u>Matter of children and adolescents deprived of liberty in the "Complexo do Tatuapé" of the Fundação CASA</u>, Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

<sup>&</sup>lt;sup>11</sup> IACHR, <u>Resolution 2/2015</u>, Precautionary Measure No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; <u>Resolution 37/2021</u>, Precautionary Measure No. 96-21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

<sup>&</sup>lt;sup>12</sup> 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).

<sup>&</sup>lt;sup>13</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>&</sup>lt;sup>14</sup> IACHR, Press Release 290/2024, <u>IACHR Concludes its 191st Period of Sessions with 35 Public Hearings on Human Rights in The Americas</u>, November 21, 2024.

<sup>15</sup> IACHR, Press Release 290/2024, previously cited.

<sup>&</sup>lt;sup>16</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>&</sup>lt;sup>17</sup> IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, previously cited, para. 5.

 $<sup>^{18}</sup>$  IACHR, <u>Press Release 72/25</u>, IACHR urges Venezuela to immediately release political prisoners and to end the practice of holding them incommunicado, April 11, 2025.

<sup>&</sup>lt;sup>19</sup> IACHR, Press Release 72/25, previously cited.

 $<sup>^{\</sup>rm 20}$  IACHR, Press Release 72/25, previously cited.





- 22. The Commission understands that the context described is relevant for the analysis of the procedural requirements. The above, insofar as they give special seriousness to the situation facing the proposed beneficiaries in Venezuela.
- 23. With regard to the requirement of *seriousness*, the Commission considers that this requirement is met, given that Aurora Carolina Silva Uzcátegui continues to work in defense of human rights in Venezuela, particularly on behalf of persons who are deprived of their liberty, including her husband, Freddy Francisco Superlano Salinas. These advocacy actions include protests and public denunciations, both nationally and internationally. In addition, it was reported that she was a member of the regional leadership of the opposition party *Voluntad Popular* and had been actively involved in politics in the state of Barinas.
- 24. Due to her actions in the current context the country is experiencing, the Commission underlines that she has received telephone threats warning that she could be detained if she continues to make public complaints. There was even a report of a message allegedly sent by her husband warning her that he was "concerned for her safety because she was on the radar." Similarly, she was intimidated by SEBIN officials, with reports that in January 2025 agents contacted the proposed beneficiary and relatives of other detainees to tell them "not to go there during those days, because she was on the radar."
- 25. Intimidation and harassment is also allegedly evident in the continuous and close surveillance to which the proposed beneficiary and her daughters are subjected. In this regard, the Commission was informed of specific incidents that allegedly indicate that SEBIN officials had followed her outside her residence, monitored her family's movements and the girls' school, and followed her during public activities in defense of human rights in which she participates. It is particularly concerning that the applicants reported that SEBIN agents displayed their weapons and took photographs of them, their vehicle, and the people present. This allegedly occurred on February 26 and 27, 2025, March 28, 2025, April 1, 2025, and April 10, 2025. The frequency and continuity of the actions of SEBIN agents are allegedly so intense that the proposed beneficiary and her daughters are being emotionally affected, causing them to be in a constant state of alert.
- 26. Considering that the requesting party alleged that state agents reportedly seek not only to threaten or harass the proposed beneficiary, but eventually to detain her, the Commission observes the seriousness of this possibility in circumstances similar to those of other members of the opposition in the current context. Through its monitoring and precautionary measures in the post-election situation in Venezuela, the IACHR has observed a pattern of state repression involving threats, intimidation, harassment, and acts of violence against individuals perceived or identified as members of the Venezuelan opposition. These individuals are detained without knowledge of the criminal proceedings against them and without judicial arrest warrants. Their place of detention is subsequently unknown, and they are denied the possibility of having trusted attorneys present during proceedings to protect their rights. Serious restrictions are imposed on family members and attorneys, preventing them from communicating with detainees and accessing even minimal information about their legal situation.<sup>21</sup>
- 27. In line with the above, the Commission recalls that the proposed beneficiary denounces the circumstances surrounding the detention of her husband, Freddy Francisco Superlano Salinas, beneficiary of precautionary measures granted in Resolution 55/24.<sup>22</sup> Although the IACHR requested that his rights be protected, the applicant reported that these guarantees have not materialized. On the contrary, the requesting party argued that it was precisely state agents who had kept him in prolonged isolation since his arrest, without access to family visits or official communication about his place of detention or health. The IACHR recalls that coercive incommunicado detention is prohibited by international and inter-American human rights

<sup>21</sup>IACHR, <u>Press Release 319/24</u>, Venezuela: IACHR issues urgent alert regarding precautionary measures in the aftermath of the elections in Venezuela, December 17, 2024.

<sup>&</sup>lt;sup>22</sup> IACHR, Resolution 55/24, Precautionary Measure No. 899-24, Freddy Francisco Superlano Salinas regarding Venezuela, August 26, 2024 (Available only in Spanish).





standards,<sup>23</sup> constituting a form of cruel, inhuman, and degrading treatment that increases the risk of violations of the right to life and personal integrity.<sup>24</sup>

- 28. Under these circumstances, and in light of the available information, the Commission observes with particular concern that the Venezuelan State's pattern of conduct has also extended to immediate family members, especially when they play an active role in seeking justice and publicizing the facts, <sup>25</sup> as is the matter of Aurora Carolina Silva Uzcátegui and her daughters in relation to her husband, Freddy Francisco Superlano Salinas. Thus, the repressive actions of the State do not end with the detention of opposition figures in Venezuela, but rather extends to family members who seek to denounce these acts. <sup>26</sup>
- 29. Based on the foregoing, it is important to highlight the role that Aurora Carolina Silva Uzcátegui has assumed on behalf of her husband and her family unit, as she has been the driving force behind the defense of her husband's rights and the search for international protection in light of the situation of risk that her family is facing. In this regard, her participation has allowed the Commission to closely monitor and follow the situation of Freddy Francisco Superlano Salinas, as she is the most direct link with the beneficiary of the precautionary measures. Her role as immediate family members is also essential to the Commission's mandate of protection, insofar as her absence would compromise the flow of information necessary to monitor the precautionary measures in his favor.<sup>27</sup>
- 30. According to the applicant, to date, the State has not taken the necessary measures to guarantee and protect the rights of Freddy Francisco Superlano Salinas and his family unit. In this regard, the Commission observes with concern the lack of implementation of state protection measures, which is particularly relevant given that state agents themselves are allegedly responsible for Freddy Francisco Superlano Salinas' detention conditions, as well as the threats, harassment, and surveillance reported against the proposed beneficiaries. Under these conditions, Aurora Carolina Silva Uzcátegui and her daughters allegedly remain completely unprotected.
- 31. 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 precautionary measures, it prevents the Commission from being aware of the observations or measures taken by the State to address the alleged situation of risk that the proposed beneficiaries face. 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 beneficiaries face has been addressed or mitigated. In this regard, the Commission expresses particular concern that those allegedly responsible for the threats, surveillance, and intimidation against the proposed beneficiaries are reportedly State agents, who bear a special position as guarantors of human rights. It further impacts the vulnerability of the proposed beneficiaries, which includes two underaged girls.
- 32. Taking into account the current context of the country, and the previous assessments, the Commission observes that, from the applicable *prima facie* standard, it is sufficiently shown that the proposed beneficiaries face a situation of serious risk to their rights to life and personal integrity.

<sup>23</sup> IACHR, <u>Press Release 72/25</u>, IACHR urges Venezuela to immediately release political prisoners and to end the practice of holding them incommunicado, April 11, 2025.

<sup>&</sup>lt;sup>24</sup> IACHR, <u>Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas</u>, OEA/Ser/L/V/II.131 doc. 26, 2008, Principle III.

<sup>&</sup>lt;sup>25</sup> As an example, see: IACHR, <u>Resolution 87/24</u>, Precautionary Measure No. 409-23, Franklin Alfredo Caldera Cordero, Franklin Caldera Martínez and Yuraima Martínez regarding Venezuela, November 25, 2024, para.

<sup>&</sup>lt;sup>26</sup> IACHR, <u>Press Release 72/25</u>, IACHR urges Venezuela to immediately release political prisoners and to end the practice of holding them incommunicado, April 11, 2025.

<sup>&</sup>lt;sup>27</sup> Within the framework of the precautionary measures granted in favor of Freddy Francisco Superlano Salinas, the organization Coalition for Human Rights and Democracy acted as the applicant, with the express consent of his wife, Aurora Carolina Silva Uzcátegui, to process this request. IACHR, Resolution 55/24, Precautionary Measure No. 899-24, Freddy Francisco Superlano Salinas regarding Venezuela, previously cited, Footnote on Page 1.





- 33. Regarding the requirement of *urgency*, the Commission finds that it has been met insofar as Aurora Carolina Silva Uzcátegui continues to actively defend the rights of her husband and other detainees referred to as "political prisoners" in Venezuela. The threats received, acts of intimidation, and harassment, coupled with the constant presence of vehicles near their residence and surveillance of the proposed beneficiaries' movements, have continued over time and show a situation of risk that could materialize at any time in the current context of the country. Therefore, it is necessary to immediately adopt measures to safeguard her rights to life and personal integrity, and that of her daughters.
- 34. 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. BENEFICIARIES

35. The Commission declares as the beneficiaries of the precautionary measures Aurora Carolina Silva Uzcátegui, and her daughters A.I.S.S. and A.S.S., who are duly identified in this proceeding.

#### V. DECISION

- 36. 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 Aurora Carolina Silva Uzcátegui, A.I.S.S., and A.S.S.;
  - b) implement the corresponding measures to guarantee that Aurora Carolina Silva Uzcátegui can continue to carry out her activities in defense of human rights without being subjected to threats, harassment, or acts of violence in the exercise thereof. In particular, the State must ensure that state actors respect the beneficiaries' rights and personal integrity in accordance with the standards established by international human rights law, and in relation to acts of risk attributable to third parties;
  - c) consult and agree upon the measures to be adopted with the beneficiary and her representation; and
  - d) report on the actions taken to investigate the alleged events that led to this resolution, so as to prevent them from reoccurring.
- 37. 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.
- 38. 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.
- 39. The Commission instructs its Executive Secretariat to notify this resolution to the Bolivarian Republic of Venezuela and the requesting party.
- 40. Approved on May 4, 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