

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 46/2025**

Precautionary Measure No. 755-25

**Aníbal Martín Rivas Reed regarding Nicaragua**

June 24, 2025

Original: Spanish

**I. INTRODUCTION**

1. On June 8, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures presented by *Unidad de Defensa Jurídica* (UDJ) (“the applicants”) urging the Commission to require that the State of Nicaragua (“the State” or “Nicaragua”) adopt the necessary measures to protect the rights to life and personal integrity of Aníbal Martín Rivas Reed (“the proposed beneficiary”). According to the request, police officers detained the proposed beneficiary at his residence on May 17, 2025. Since that date, his relatives and close circle have not received any information on his whereabouts or fate in Nicaragua.

2. Pursuant to Article 25 (5) of its Rules of Procedure, the Commission requested information from the State on June 10, 2025. To date, the State has not replied to the Commission and the granted deadline has expired.

3. Upon analyzing the submissions of fact and law furnished by the applicant, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that his rights to life, and personal integrity are at risk of irreparable harm. The Commission therefore requests that Nicaragua: a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity; b) state whether the beneficiary is in the custody of the State, and if so, specify whether he has been charged with an offence and/or taken before a court of appropriate jurisdiction; c) clarify the circumstances and conditions of his detention, including the place of his detention, and if he has access to his legal representatives and family, as well as the necessary health care; and d) report on the actions taken to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

**II. BACKGROUND INFORMATION**

4. Following the beginning of the crisis of the human rights situation in Nicaragua and the working visit carried out in May 2018, the Commission formed the Special Follow-up Mechanism for Nicaragua (MESENI) in order to follow up on the recommendations made to the State, as well as to maintain the respective monitoring for the purposes relevant to the mandates of the IACHR.<sup>1</sup> Similarly, the IACHR installed the Interdisciplinary Group of Independent Experts (GIEI) of Nicaragua, which issued a report that analyzed the events that took place in April and May 2018.<sup>2</sup> For its part, the IACHR decided to include Nicaragua in its Annual Report in Chapter IV.b as of 2018, in accordance with the grounds established in its Rules of Procedure.<sup>3</sup> In

<sup>1</sup> IACHR, Press Release No. 134/48, [IACHR Issues Report on Nicaragua’s Serious Human Rights Situation](#), June 22, 2018; Press Release No. 135/18; [IACHR Launches Special Monitoring Mechanism for Nicaragua \(MESENI\)](#), June 24, 2018; Press Release No. 274/18, [Press Release about Nicaragua](#), December 19, 2018; Press Release No. 113/20, [Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them](#), May 16, 2020.

<sup>2</sup> IACHR, Press Release No. 145/18, [IACHR Announces Establishment of Interdisciplinary Group of Independent Experts for Nicaragua](#), July 2, 2018; GIEI, [Report on the events of violence that occurred between April 18 and May 30, 2018](#) December 21, 2018.

<sup>3</sup> IACHR, 2018 Annual Report, [Chapter IV.B Nicaragua](#); 2019 Annual Report, [Chapter IV.B Nicaragua](#), February 24, 2020; 2020 Annual Report, [Chapter IV.B Nicaragua](#), February 2, 2021; 2021 Annual Report, [Chapter IV.B Nicaragua](#), May 2022; 2023 Annual Report, [Chapter IV.B Nicaragua](#), December 31, 2023

parallel, the Commission, under its monitoring mandate, has issued reports on the human rights situation in Nicaragua. These reports include a series of recommendations to the State aimed at ensuring the respect and protection of individuals' rights in accordance with its international obligations.<sup>4</sup>

5. In addition to the above, the Commission has consistently issued statements and included concerns in its annual report, highlighting the escalating crisis and serious human rights violations in the country from multiple perspectives. In addition, the Commission has addressed the persistence of acts of persecution;<sup>5</sup> the intensification of surveillance, harassment, and selective repression against individuals seen as opponents of the government, human rights defenders, and independent journalists;<sup>6</sup> the widespread impunity and the prolonged breakdown of the rule of law;<sup>7</sup> the criminalization of opposition leaders;<sup>8</sup> the deportation of people deprived of liberty due to political reasons and the loss of nationality;<sup>9</sup> the repressive escalation against members of the Catholic Church;<sup>10</sup> the absence of conditions for free and fair elections in the country;<sup>11</sup> the arbitrary detention of human rights defenders, journalists, and members of the Catholic Church;<sup>12</sup> and the government's repressive strategy to silence critical voices to the government ahead of the 2024 regional elections.<sup>13</sup>

6. Considering the above, the Commission has urged the State of Nicaragua, among other aspects, to fulfill its obligations in the field of human rights;<sup>14</sup> implement the recommendations issued by the IACHR;<sup>15</sup> cease acts of persecution against individuals identified as opponents of the government and restoration of democratic guarantees;<sup>16</sup> release individuals who remain arbitrarily detained under inadequate detention

<sup>4</sup> IACHR, Report: Closure of civic space in Nicaragua, OEA/Ser.L/VIII.Doc.212/23, September 23, 2023; [Persons deprived of liberty in Nicaragua in connection with the human rights crisis that began on April 18, 2018](#), OEA/Ser.L/V/II. Doc. 285, October 5, 2020; [Report on Forced Migration of Nicaraguan Persons to Costa Rica](#), OEA/Ser.L/V/II. Doc.150, September 8, 2019; [Report on Gross Human Rights Violations in the Context of Social Protests in Nicaragua](#), OEA/Ser.L/V/II.Doc.86, June 21, 2018.

<sup>5</sup> IACHR, [IACHR denounces the weakening of the rule of law in the face of serious human rights violations and crimes against humanity in Nicaragua](#), January 10, 2019; [IACHR condemns the persistence of acts of repression in Nicaragua in the context of the Negotiating Table](#), April 5, 2019.

<sup>6</sup> IACHR, Press Release No. 80/20, [Two Years into Nicaragua's Human Rights Crisis, the IACHR Stresses its Permanent Commitment to Victims and Confirms the Consolidation of a Fifth Phase of Repression](#), April 18, 2020. Press Release 152/21, [IACHR Condemns the Serious Escalation of Repression in Nicaragua](#), June 18, 2021.

<sup>7</sup> IACHR, Press Release No. 93/21, [Three Years After the Start of the Human Rights Crisis in Nicaragua, IACHR Condemns Ongoing Impunity](#), April 19, 2021.

<sup>8</sup> IACHR, Press Release No. 145/21, [IACHR and OHCHR Categorically Condemn Criminal Prosecution of Presidential Precandidates and Urge State of Nicaragua to Release Them Immediately](#), June 9, 2021; Press Release No. 172/21, [Nicaragua: IACHR and OHCHR Demand an End to Arbitrary Arrests and the Release of All Individuals Detained Since the Start of the Crisis in Nicaragua](#), July 9, 2021. Press Release 238/21, [IACHR and OHCHR Condemn Criminalization, Failure to Enforce Due Process, and Serious Conditions of Detention for Individuals Who are Perceived to Be Government Critics in Nicaragua](#), September 10, 2021; Press Release RD026/22, [REDESCA Condemns the Cancellation of the Membership of 26 Universities and Associations for Academic and Social Purposes by the National Assembly of Nicaragua](#), February 10, 2022.

<sup>9</sup> IACHR, Press Release No. 021/23, [IACHR Welcomes Release of Political Prisoners in Nicaragua and Rejects Arbitrary Deprivation of Nationality](#), February 13, 2023.

<sup>10</sup> IACHR, Press Release No. 184/22, [IACHR condemns acts of repression and the detention of members of the Catholic Church in Nicaragua](#), August 19, 2022.

<sup>11</sup> IACHR, Press Release No. 248/22, [IACHR Warns of the Lack of Appropriate Conditions for Holding Free, Fair Municipal Elections in Nicaragua](#), November 4, 2022.

<sup>12</sup> IACHR, Press Release No. 123/23, [IACHR Rejects Continued Repression and Human Rights Violations in Nicaragua](#), June 16, 2023; Press Release No. 184/23, [Nicaragua: IACHR and OHCHR urge the State to release Monsignor Rolando Álvarez and guarantee his human rights](#), August 18, 2023; Press Release No. 218/23, [IACHR Urges the State of Nicaragua to Cease Persecution of the Catholic Church](#), September 15, 2023.

<sup>13</sup> IACHR, Press Release No. 243/23, [IACHR and RELE: Nicaragua must cease repression against indigenous communities on the Caribbean Coast](#), October 10, 2023.

<sup>14</sup> IACHR, Press Release No. 6/19, [IACHR denounces the weakening of the rule of law in the face of serious human rights violations and crimes against humanity in Nicaragua](#), January 10, 2019; Press Release No. 26/19, [IACHR Condemns Increasing Attacks on the Press and Ongoing Human Rights Violations in Nicaragua](#), February 6, 2019; Press Release No. 90/19, [IACHR Condemns Continuing Acts of Repression in Nicaragua during Negotiating Table Talks](#), April 5, 2019.

<sup>15</sup> IACHR, Press Release No. 113/20, [Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them](#), May 16, 2020.

<sup>16</sup> IACHR, Press Release No. 249/20, [IACHR Calls for Persecution of People Identified as Dissidents to End and for Democratic Guarantees to be Reestablished in Nicaragua](#), October 10, 2020.

conditions;<sup>17</sup> restore and ensure the full enjoyment of civil and political rights;<sup>18</sup> and put an end to the repression and persecution of those seeking the return of democracy in Nicaragua or exercising their public freedoms.<sup>19</sup> More recently, on June 11, 2024, the Commission and its Office of the Special Rapporteur for Freedom of Expression (SRFoE, or RELE for its acronym in Spanish) expressed their concern about the serious situation of persons arbitrarily deprived of their liberty in Nicaragua and urged that their lives and integrity be guaranteed and that they be released immediately.<sup>20</sup>

7. The Commission noted that on September 5, 2024, 135 individuals considered opponents of the regime who were arbitrarily detained in Nicaragua under deplorable conditions and allegations of torture and ill-treatment were released and transferred to Guatemala. However, it condemned the arbitrary deprivation of their Nicaraguan nationality and the seizure of their assets. On this matter, the IACHR urged Nicaragua to guarantee the right to nationality, to cease repression in the country and to release all people who continue to be arbitrarily detained.<sup>21</sup> Seven years having elapsed since the crisis in Nicaragua began, the IACHR condemned the consolidation of the authoritarian regime; expressed its solidarity with the victims and families of the serious human rights violations perpetrated since April 18, 2018; recalled the more than 300 people who lost their lives in the context of state repression; and reaffirmed its commitment to promote and protect human rights in Nicaragua.<sup>22</sup>

8. Lastly, the Commission reaffirmed its jurisdiction over Nicaragua and continues to fulfill its monitoring mandates through MESENI, as well as through the analysis and processing of cases, petitions, and precautionary measures.<sup>23</sup> In this regard, the Commission emphasized that the State of Nicaragua continues to be bound by all the international instruments to which it is a party, such as the American Convention on Human Rights.<sup>24</sup>

### **III. SUMMARY OF FACTS AND ARGUMENTS**

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

9. According to the request, the proposed beneficiary is 60 years old.<sup>25</sup> As background information, it was noted that he was a member of the Sandinista Popular Army (EPS) during the 1980s until he was discharged in 1990. He then rejoined the National Army to be a member of the intelligence department, and resigned in December 2006. From that year on, he reportedly left the army and the Sandinista National Liberation Front (FSLN). However, it was reported that in 2018 he joined anti-government protests to demand an end to repression and justice for those who had been murdered. In retaliation for his participation in the protests, both he and his family unit have reportedly been persecuted by the regime and investigated for

<sup>17</sup> IACHR, Press Release No. 145/21, [IACHR and OHCHR Categorically Condemn the Criminal Prosecution of Presidential Pre-candidates and Urge the State of Nicaragua to Immediately Release Them](#), June 9, 2021; Press Release No. 171/21, [IACHR and OHCHR Demand an End to Arbitrary Arrests and the Release of All Individuals Detained Since the Start of the Crisis in Nicaragua](#), July 9, 2021; Press Release No. 197/2022, [IACHR and REDESCA: Urge immediate release of political prisoners in deplorable conditions in Nicaragua](#), September 5, 2022.

<sup>18</sup> IACHR, Press Release R218/22, [In light of serious allegations regarding the closure of civic spaces in Nicaragua, UN and IACHR Special Rapporteurs urge authorities to comply with their international obligations to respect and guarantee fundamental freedoms](#), September 28, 2022.

<sup>19</sup> ACHR, Press Release [No.24/2023, IACHR and OHCHR Condemn Escalation of Human Rights Violations in Nicaragua](#), February 17, 2023.

<sup>20</sup> IACHR, Press Release No.132/2024, [Nicaragua: IACHR Urges to Guarantee the Life and Integrity of Persons Arbitrarily Detained and to Immediately Release Them](#), June 11, 2024.

<sup>21</sup> IACHR, Press Release No. 217/24, [Nicaragua: IACHR repudiates the arbitrary deprivation of nationality of the 135 people released](#), September 13, 2024.

<sup>22</sup> IACHR, Press Release No. 73/25, [Seven Years After the Start of the Crisis in Nicaragua, IACHR Condemns Consolidation of Authoritarian Regime](#), April 14, 2025.

<sup>23</sup> IACHR, Press Release 312/2021, [IACHR reaffirms its competence over Nicaragua following decision to denounce the OAS Charter in a context of grave human rights violations](#), November 20, 2021.

<sup>24</sup> IACHR, Press Release 312/21, previously cited.

<sup>25</sup> He was born on November 16, 1964.

allegedly committing the crime of undermining national integrity (also known as treason) and/or terrorism since 2018.

10. In the request it is affirmed that on May 17, 2025, at approximately 1:50 p.m., officers from the Special Operations Directorate of the National Police (DOEP), along with other police officers, allegedly detained the proposed beneficiary without presenting an arrest warrant. It was stated that, during the operation, agents raided the residence and confiscated documents, including licenses and passports that belong to the proposed beneficiary.

11. The applicants stated that the proposed beneficiary was detained on the same weekend that the Nicaraguan government detained at least 14 opposition figures in the north of the country, including former military personnel, former mayors, and councilors from opposition parties that had been dissolved by the State.<sup>26</sup> It was noted that, in the case of the proposed beneficiary, the political motive for his detention is allegedly the fact that the Nicaraguan government considers him an opponent and a traitor.

12. After being detained, on May 18, 2025, the proposed beneficiary's friends and family went to the Matagalpa police station to request information on him. However, an officer told them that he had been transferred to Managua. On May 19, 2025, his relatives went to look for him in three prisons in Managua: Police District III, the Judicial Assistance Directorate (identified as "el Chipote"), and the Jorge Navarro National Penitentiary System (known as "La Modelo"). In all these locations, the authorities denied knowledge of his whereabouts, reiterating that he was not in the detention system; hence, the authority refused to allow them to provide him with basic supplies such as medication for his psychological issues. The applicants noted that since May 17, 2025, there has been no information on the proposed beneficiary and they have described his situation as an "enforced disappearance."

13. Regarding his health, the request noted that the proposed beneficiary is an elderly man who has degenerative arthritis, for which he takes Advil. In addition, he has psychiatric disorders, such as clinical depression, severe insomnia, and an alcohol addiction. He takes clonazepam daily and requires mental health support to counteract the symptoms. In this context, the applicants expressed concern that the authorities might administer medication containing diclofenac, which the proposed beneficiary is allergic to and has previously experienced adverse reactions. Given his disappearance, concerns have been raised that it is unknown whether the authorities are providing him with adequate medication and medical care. It was emphasized that every day that passes without information about his whereabouts could cause irreversible damage to his physical and mental health.

14. In addition, the applicants reported that there is no communication on criminal proceedings against him, given that the Nicarao System (which systematizes all court cases nationwide) contains no data on the proposed beneficiary.

15. Furthermore, it was reported that no complaints have been filed due to systematic impunity in Nicaragua, the lack of independence of the judiciary, and fear of reprisals. The request stated that it is impossible for private attorneys to represent political prisoners and/or disappeared persons, as in the case of the proposed beneficiary. They added that, in addition to procedural obstacles such as lack of access to court files, attorneys and relatives fear reprisals if they go to court or any government institution.

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

16. The Commission requested information from the State on June 10, 2025. To date, no response has been received from them, and the granted timeline has expired.

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<sup>26</sup> *Confidencial* Newspaper, [Police execute raid against 14 citizens in northern Nicaragua](#), May 18, 2025.

### 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>27</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.<sup>28</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>29</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>30</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
- 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>31</sup>

<sup>27</sup> Inter-American Court of Human Rights (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.

<sup>28</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 (Available only in Spanish).

<sup>29</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>30</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 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).

<sup>31</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.



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>32</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>33</sup>

20. The Commission observes that the alleged situation of risk that the proposed beneficiary faces is not an isolated event but, on the contrary, and takes place within the current context that Nicaragua is experiencing, which is particularly hostile towards persons considered, perceived, or identified as opponents of the government and, in general, towards any person critical of the current national government.<sup>34</sup> This context has intensified over time.<sup>35</sup> Taking into account the foregoing, the Commission will proceed to analyze the procedural requirements regarding the proposed beneficiary's situation in Nicaragua.

21. Regarding the requirement of *seriousness*, the Commission finds it to be met, as the applicants state that the proposed beneficiary's whereabouts have been unknown since police officers detained him on May 17, 2025. The Commission observes that, according to the applicants, the proposed beneficiary was detained at his residence and, since that date, there has been no information on his fate or current whereabouts. His friends and family are unable to obtain information on the proposed beneficiary's current location, despite the search efforts and actions taken.

22. In this regard, the Commission has found no evidence that the proposed beneficiary was brought before the competent courts in Nicaragua, nor is there any information regarding the imposition of charges or the initiation of judicial proceedings against him. In this sense, the Commission understands that his friends and family are unable to activate the corresponding resources for his protection, as the competent court for his criminal trial, if it exists, has not been identified. Therefore, it is impossible to determine whether the proposed beneficiary is receiving medical care and the necessary medication for his health issues.

23. The Commission observes that, after the proposed beneficiary was detained, people close to him repeatedly went to the various prisons in order to obtain information about his whereabouts and to know his current conditions. However, despite the efforts and request, State authorities did not provide official data on his whereabouts or current situation. Therefore, to date, it has not been possible to confirm his whereabouts or obtain an official response about his current state.

24. Having requested information from the State under Article 25 of its Rules of Procedure, the Commission regrets the lack of response to the request. Although the foregoing is not sufficient *per se* to justify the granting of a precautionary measure, the lack of response from the State prevents the Commission from determining the measures that would have been reportedly implemented to address the situation that places

<sup>32</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>33</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>34</sup> IACHR, Report: Closure of Civic Space in Nicaragua, OEA/Ser.L/VIII, Doc. 212/23, September 23, 2023, paras. 6, 20, and 62; 2022 Annual Report, Chapter IV.B Nicaragua, paras. 35-65 and 177; Press Release No. 123/23, [IACHR Rejects Continued Repression and Human Rights Violations in Nicaragua](#), June 16, 2023; Press Release No. 184/23, [Nicaragua: IACHR and OHCHR Urge the State of Nicaragua to Release Monsignor Rolando Álvarez and Guarantee His Human Rights](#), August 18, 2023; Press Release No. 218/23, [IACHR Urges State of Nicaragua to End Repression Against Roman Catholic Church](#), September 15, 2023; Press Release No. 152/21, [IACHR Condemns the Serious Escalation of Repression in Nicaragua](#), June 18, 2021; Press Release No. 2/21, [The IACHR condemns the intensification of harassment in Nicaragua](#), January 6, 2021; Annual Report 2023, Chapter IV.B Nicaragua, December 31, 2023, paras. 5, 36, and 138.

<sup>35</sup> IACHR, Press Release No. 113/20, [Two Years After Visit to Nicaragua, IACHR Condemns Lack of Compliance with its Recommendations and Calls on the State to Urgently Implement Them](#), May 16, 2020; Annual Report 2020, Chapter IV.b Nicaragua, paras. 46-52; 2023 Annual Report, Chapter IV.b Nicaragua, December 31, 2023, para. 19.

the proposed beneficiary at risk dispute the facts alleged by the applicants. Therefore, the Commission does not have information that would allow it to assess whether the situation that places the proposed beneficiary at risk has been mitigated, nor regarding the actions taken to determine his whereabouts or fate. The Commission also notes that the proposed beneficiary may be in the custody of the State, which should have details on his location and current situation.

25. The Commission emphasizes that his close circle been unable to contact the proposed beneficiary since he was detained, and have not received any information on his whereabouts or legal situation, such as, for example: the existence of an investigation file against him; the procedural status of the investigation; the grounds for the detention; whether the court case was subject to judicial review; the place of detention; the detention conditions; or the possibilities of being able to contact legal representation he trusts; among others. Given that contact with the proposed beneficiary has not been established, the situation that places him at risk is further aggravated by the inability to determine his whereabouts and verify his current state. In this regard, the Commission recalls that the Inter-American Court has indicated, in the Matter of Juan Sebastián Chamorro et al. v. Nicaragua, that “detention without communication not only makes it impossible to verify the current situation of the proposed beneficiaries, their detention conditions, and their health status, but it also implies a curtailment of the procedural guarantees of all detainees.”<sup>36</sup>

26. In view of the foregoing considerations and in light of the *prima facie* standard, the Commission considers that the right to life and personal integrity of the proposed beneficiary are at serious risk insofar as, to date, there is no official information regarding his whereabouts or current situation.

27. Regarding the requirement of *urgency*, the Commission considers that this has also been met, insofar as the passage of time without establishing his whereabouts is likely to cause further harm to the rights to life and personal integrity of the proposed beneficiary. In this regard, his whereabouts remain unknown, and it has not been possible to obtain any information about his current location or health. Additionally, the Commission has not received any response from the State regarding the actions that may be taken to address or mitigate the risk faced by the proposed beneficiary, nor about any measures to determine his whereabouts.

28. 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**

29. The Commission declares Aníbal Martín Rivas Reed, who is duly identified in this procedure, as the beneficiary.

#### **V. DECISION**

30. 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, it requests that Nicaragua:

- a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity;
- b) state whether the beneficiary is in the custody of the State, and if so, specify whether he has been charged with an offence and/or taken before a court of appropriate jurisdiction;

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<sup>36</sup> I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, Provisional Measures, Order of the Inter-American Court of Human Rights of June 24, 2021, paragraph 36.

- c) clarify the circumstances and conditions of his detention, including the place of his detention, and if he has access to his legal representatives and family, as well as the necessary health care; and
- d) report on the actions taken to investigate the alleged events that led to the adoption of this resolution, so as to prevent such events from reoccurring.

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

32. 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.

33. The Commission instructs its Executive Secretariat to notify this resolution to the State of Nicaragua and the applicant.

34. Approved on June 24, 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.

María Claudia Pulido  
Assistant Executive Secretary