

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 48/2025**

Precautionary Measure No. 19-25
Julia Chuñil Catricura regarding Chile
July 14, 2025
Original: Spanish

I. INTRODUCTION

1. On January 8, 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 Corporation for the Promotion and Defense of the Rights of the People (*Corporación de Promoción y Defensa de los Derechos del Pueblo*) and *Fundación Escazú Ahora* (“the requesting party” or “the applicants”), urging the Commission to request that the State of Chile (“the State” or “Chile”) adopt the necessary measures to protect the rights to life, personal integrity, and health of Julia Chuñil Catricura (“the proposed beneficiary”). According to the request, the beneficiary is the president and leader of the Mapuche Putreguel Community and her whereabouts have been unknown since November 8, 2024.

2. In accordance with Article 25(5) of its Rules of Procedure, the IACHR requested information from the State on January 23 and May 23, 2025. The State submitted its observations on January 29, February 12, March 13, April 7, and June 3, 2025. For their part, the applicants submitted additional information on January 17, February 21, March 6, and June 2, 2025.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that her current whereabouts is unknown to date. Consequently, based on Article 25 of its Rules of Procedure, the IACHR requests that Chile: a) redouble its efforts to determine the situation and whereabouts of Julia Chuñil Catricura; and b) report on the actions taken to investigate the alleged events that gave rise to this resolution, so as to prevent them from reoccurring, keeping the beneficiary’s family informed, as appropriate.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. According to the applicants, the proposed beneficiary, 72 years old, is the president of the Putreguel Mapuche Community, and a leader in the defense of the ancestral territory in the Los Ciruelos sector, Máfil commune, Los Ríos region, Wallmapu. She was last seen searching for her animals on November 8, 2024 and she has been missing in the Huichaco area since then, specifically on the property known as “Reserva Cora Número Uno-A”. Her family noticed she was missing on November 10, 2024, after a neighbor informed them that she had not returned since leaving on November 8. At the scene, they reportedly found traces of a pickup truck. According to reports, the incident took place in the context of a territorial dispute as the land she lived on was reportedly being claimed by the Mapuche Putreguel community. Her family fears that she may have been the target of an attack or kidnapping due to her role in defending the territory.

5. Regarding the territorial dispute, the applicants reported that, since 2015, the proposed beneficiary, along with the Mapuche Putreguel community, had taken possession of a piece of land for which a process of territorial restitution had been initiated. There is a trespassing complaint on the property, and her family members feel threatened by the possibility of eviction by law enforcement. In 2018, the proposed beneficiary reportedly led environmental actions to protect 900 hectares of native forest.

6. On November 11, 2024, the proposed beneficiary's family filed a complaint regarding an alleged misfortune with the 5th Police station of the Carabineros de Panguipulli. She also mentioned that on December 8, 2024, a complaint was filed against "all those responsible" for the crimes of kidnapping, murder, and femicide, referring to the harassment she allegedly suffered at the hands of several local businessmen in the area. In addition, the applicants indicated that the proposed beneficiary has experienced a series of incidents since 2018. Among the incidents reported were an attempted hit-and-run on the rural road she frequently travelled, and the deliberate cutting of a section of the support structure of a wooden bridge she regularly crossed.

7. The applicants stated that, since her disappearance, her family and neighbors have carried out search and tracking efforts, but have been unable to locate her. In this regard, they reported that between December 20 and 22, 2024, three search operations were carried out by the company QMM SpA.¹ After the complaint was filed, the police unit reportedly contacted various public entities and the prosecutor on duty, who instructed various proceedings.²

8. The applicants alleged that the first prosecutor in charge had failed to take even the most basic steps or implement any search measures. However, when the prosecutor was changed, statements were taken from her relatives and a search operation was launched. The case is still under investigation, with proceedings pending, and under seal, so the information in the file cannot be accessed. In this regard, the prosecutor explained that "there were many leaks." Moreover, the proposed beneficiary's family members have stated that they met with the prosecutor on three occasions, but they do not have any information on the procedural status of the case. The plaintiff's attorney also met with the prosecutor on two occasions, December 12, 2024, and January 17, 2025, which included discussions reportedly limited to "formal and coordination matters." Through the Public Prosecutor's Office website, the proposed beneficiary's family was able to view records of certain proceedings, such as instructions for investigation orders, records of statements, requests for information, and receipt of documents. However, the family still has not received any information.

9. The applicants reported that the proposed beneficiary's family had approached various authorities in an attempt to obtain information on her situation, including the Chamber of Deputies, the Undersecretary for Human Rights of the Ministry of Justice, and the National Institute of Human Rights. On November 29, 2024, an inter-institutional roundtable was activated under the Protocol for the Protection of Human Rights Defenders; and on December 15, 2024, the first meeting was held with the family to discuss the implementation of concrete measures (e.g., installation of electrical wiring and amplifiers, security cameras).

¹The report from the aforementioned company includes proceedings and meetings with the proposed beneficiary's family members, the Carabineros GOPE, the Mafil Fire Department, and the prosecutor in charge of the Environmental Crimes Unit of the Los Ríos Regional Prosecutor's Office.

² The following procedures were outlined: the deployment of the Special Police Operations Group to conduct a search in the area; interviews with the complainant, relatives, and individuals in the immediate environment; taking formal statements from the complainant and witnesses in accordance with the detailed instructions of the inter-institutional protocol for cases of alleged disappearances; requesting a recent photograph of the missing person from the complainant and obtaining written authorization to publish it on official police search platforms, with a record of such authorization duly documented. Additional actions include: registering the missing person in the "Order of People" computerized system and generating a commission number (by Carabineros), or, in the case of the Investigative Police (PDI), registering the alleged victim in GEPOL and generating a "commission for alleged disappearance"; informing other police forces that did not receive the initial complaint, so the missing person can be included in their respective systems. Authorities are also instructed to consult multiple information sources, such as GEPOL, CENCO, the daily detention agenda, the Foreign Affairs and International Police database, the biometric system of the Civil Registry, and the Homicide Brigade. Commissions may be carried out to institutions such as the Legal Medical Service (SML), the Chilean Gendarmerie, SENAME, public hospitals or CESFAMs, and shelters such as Hogar de Cristo. Other investigative actions include: searching for relevant information about the alleged victim on social media; conducting on-site procedures, such as visual inspections of the missing person's home or last known location, and patrolling surrounding areas; verifying the existence of prior social media contacts; documenting the procedure's folio number in the relevant case file; and recording the report number in the web logbook. Additional measures as instructed by the prosecutor in charge. For example, the Investigative Police in Valdivia are notified via email to register the missing person in their local records.

They also reported that the proposed beneficiary's sister and children have received support from the Victim Care Unit of the Prosecutor's Office, mainly psychological support.

10. On December 9, 2024, a letter was delivered to the President of Chile requesting the intensification of search efforts. On December 10, 2024, the President publicly acknowledged and expressed his concern regarding the proposed beneficiary's disappearance, highlighting her role as an environmental advocate and mentioning conversations with the National Prosecutor to facilitate the use of FACH resources.³

11. The applicants stated that the investigation should consider the series of violent crimes that the proposed beneficiary may have suffered and that could have led to her disappearance, such as kidnapping, femicide, homicide, and serious or very serious injuries. The investigation should remain open to explore any leads related to the information gathered until they can be ruled out. It is also allegedly essential that statements from victims and witnesses be taken at the Public Prosecutor's Office and conducted directly by the prosecutor assigned to the case. This approach aims to avoid delegating the task to the police and thereby minimize the risk of misinterpretation or distortion by intermediaries.

12. According to the latest information received, seven violent raids have allegedly been carried out at the proposed beneficiary's residence, with the Prosecutor's Office involvement, where her children Javier and Jeanette reside. These proceedings were allegedly carried out by an armed police contingent with long weapons who act in an intimidating manner. In this regard, the applicants stated that during one of the raids, conducted on January 30, 2025, Jeanette was subjected to pressure by the Carabineros [Chilean national police]. The documentary support indicates that the deployment did not appear to be a routine procedure to which the immediate family members of the proposed beneficiary were accustomed. Pablo San Martín Chuñil, son of the proposed beneficiary, was denied access to the home and prevented from recording what was happening, keeping him at the entrance of the gate, cut off from what was happening inside. A policeman, in the presence of a prosecutor, interrogated Jeannette, accusing her directly of her mother's disappearance, insinuating that she and her ex-husband were responsible.⁴ The police officer made intimidating gestures, placing his hand on his weapon and partially removing it from its holster. As a result, an appeal for protection and a criminal complaint were filed for unlawful coercion committed during the raid. The appeal for protection of constitutional rights (*amparo*) was allegedly admitted by the Court of Appeals of Valdivia. Furthermore, the regional prosecutor filed a request to disqualify, but it was rejected by the National Prosecutor.

13. It was reported that on April 28, 2025, the family's representatives were able to meet with the prosecutors in the case and were granted access to the investigation file. However, they pointed out that the prosecutor had been changed four times since the investigation began, but the family was not informed about the charges or about the possible lines of investigation, as they were not included in the search procedure. Although formal requests for information had been made, such as a request for a copy of the National Prosecutor's decision rejecting the disqualification filed by the regional prosecutor, this information had not yet been formally provided. The request raised questions during the investigation, such as errors in the ground-penetrating radar tests, lack of sampling in the field, failure to summon witnesses, among others. There are reportedly pending proceedings to clarify the disappearance; among them, seizure and interception of the telephone traffic of the main suspect that the family syndicates, and appraisals of their vehicles.

B. Response from the State

³ The documentation does not reveal the name or any other reference to these initials.

⁴ The documentary support revealed by the applicant indicates that the police officer used phrases such as: "NO. Your mother did not leave here. Your mother never left here," "Tell the truth, because your husband beat you. You have had domestic violence," "You are responsible. Tell the truth, that your husband was the one who did something to your mother. Because inside there is blood, there is everything," and "Confess, he told you, the crime they did!" "TODAY WE WILL GET YOUR MOM OUT OF HERE!!!"

14. The State considered that it has implemented the necessary, timely, and suitable measures to address the situation of Julia Chuñil Catricura's disappearance, aimed at searching for her, as well as accompanying her family members. It considered that the requirements of urgency, seriousness, and irreparable harm set forth by Article 25 of the Rules of Procedure of the IACHR are not met.

15. The State indicated that, according to information collected, the proposed beneficiary was seen for the last time while she was going to the bush to look for two calves. Her absence was not immediately noticed by her relatives. They became aware of her disappearance on November 10, 2024, after looking for her in a nearby building. Upon verifying her absence, they proceeded to file a missing person report. This was the first step of the efforts to determine her location. However, despite the wide deployment and the procedures carried out, it has not been possible to locate her to date. The State reaffirmed its total commitment to the investigation, ensuring compliance with the standard of due diligence in its institutional work.

16. The State reported that the investigation into the disappearance of the proposed beneficiary is being led by the Public Prosecutor's Office in coordination with the Investigative Police and Carabineros, the Air Force, the Army, and the Fire Department, who are conducting investigative procedures to search for her and clarify the facts. Given the relevance of the case, efforts were reportedly coordinated between various bodies of the State Administration to support the Public Prosecutor's Office in its work. In this regard, the State also stressed that the development of the investigation is allegedly in charge of a specialized team of the Regional Prosecutor's Office of Los Ríos, and members of the Environmental Crimes Unit,⁵ with the support of professionals from the specialized Human Rights, Gender, and Legal Units in the area of Violent Crimes, of the National Prosecutor's Office. The Los Ríos Regional Prosecutor's Office is reportedly prioritizing this investigation as a "complex criminal case," with a comprehensive, specialized investigative approach coordinated with the police, conducting targeted searches on the ground, by land, air, and water. In addition, advanced technologies such as georadar have allegedly been incorporated. In addition, the investigation reportedly incorporates a gender-sensitive protocol and the Escazú Agreement, along with the reconstruction of witness testimonies and investigative lines that take into account the role of the disappeared woman as an environmental defender.

17. The State referred to the measures and steps taken to locate the proposed beneficiary.⁶ In addition to the foregoing, the State referred to the implementation of the Regional Agreement on Access to

⁵ The team is allegedly composed of a deputy prosecutor; the head of the Legal Advisory Unit of the Los Ríos Regional Prosecutor's Office and former deputy prosecutor; an assistant lawyer; a psychologist from the Regional Unit for Victim and Witness Assistance (URAVIT); a legal technician; and an administrative officer.

⁶ In particular, the following actions were carried out: i) On November 11, 2024, the Municipality of Máfil, through its Emergency Unit, contacted the children of the proposed beneficiary as well as her neighbors; ii) On the same day, the Los Ríos Regional Prosecutor's Office instructed the Valdivia Homicide Brigade and the IAPA of the 2nd Los Lagos Police Station to carry out the necessary procedures to clarify the reported facts and locate the proposed beneficiary; iii) On November 14, 2024, the Los Ríos Regional Presidential Delegation contacted the family and conducted a field visit. The purpose of the visit was to coordinate search efforts and joint actions with family members, firefighters, the Investigative Police, Carabineros, the Public Prosecutor's Office, and other public institutions. iv) Between November 10 and 18, 2024, a search operation covered approximately 900 hectares in the vicinity of the location where the disappearance occurred. As part of this effort, the Drone Telesurveillance Program, operated by the Delegation in coordination with the Undersecretariat for Crime Prevention, provided aerial support through drone flights conducted between November 11 and December 23, 2024. v) On November 27, 2024, a Follow-up Committee for the case was established, and a meeting was held with the participation of representatives from the Regional Secretariat of Justice and Human Rights of the Los Ríos Region, the Regional Office of the National Human Rights Institute, the Regional Secretariat of the Environment, and the Regional Presidential Delegation. During the meeting, the following agreements were reached: a) To collect additional information from the Los Lagos Regional Prosecutor's Office through the Regional Delegation; b) To obtain information regarding the proposed beneficiary's son who is currently deprived of his liberty and has contacted the Ministry of Justice and Human Rights through the Gendarmerie; c) To assess the feasibility of conducting a new visit to the family based on the information gathered. Additionally: vi) On December 2, 2024, the Carabineros' Criminalistics Laboratory provided support through specialized procedures, primarily evidence collection and crime scene analysis; vii) On December 14, 2024, a meeting was held with the proposed beneficiary's family, the Regional Presidential Delegate of Los Ríos, the Mayor of the Municipality of Máfil, the Regional Ministerial Secretaries of Justice and Human Rights and of the Environment, representatives of the NGO Escazú Ahora, and the coordinator of the Buen Vivir Plan in the Los Ríos Region; viii) On January 3 and 16, 2025, the Monitoring Committee for the case convened to review the results of

Information, Public Participation and Access to Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), and considered that the proposed beneficiary, in her capacity as president of the Putreguel Indigenous Community and environmental defender, was protected under that Agreement. In addition, she allegedly met several vulnerability criteria recognized under the Agreement, as a 72-year-old Indigenous woman, leader of a rural community, and defender of territorial and environmental rights. Under this framework, the investigation into her disappearance was reportedly not deemed a “regular case,” thereby requiring the application of the principle of enhanced due diligence. This assessment takes into account the alleged pattern of threats and the fact that her disappearance occurred in the context of her role as a community leader following an identifiable underlying environmental conflict.

18. Regarding the results of the investigations into the proposed beneficiary’s disappearance, the State warned that no line of inquiry could be ruled out, including the commission of a criminal act. It added that a series of investigative protocols and guidelines would be applied in accordance with internal regulations.⁷ Therefore, all possible scenarios are allegedly considered: getting lost, accidents, third-party involvement in the disappearance, homicide, and any other illegal act of a similar or different nature. Since no hypothesis has been ruled out, the information had to be safeguarded given the media relevance of the case, under the provisions of Article 182 of the Chilean Criminal Procedure Code on the secrecy of investigative proceedings, applicable at this stage of the investigation. This confidential nature was to be maintained until March 1, 2025, after which date the content of the investigation could be made known to the parties involved and the plaintiffs in the case. Notwithstanding the foregoing, the State clarified that, since the beginning of the investigation, it had maintained constant contact with Julia Chuñil’s family members, in their capacity as indirect victims. The investigation is still in progress, and despite extensive efforts and inquiries, the proposed beneficiary has not yet been located.

19. With regard to previous reports of threats or other crimes against the proposed beneficiary, through the Prosecutor Support System (SAF), the State confirmed the existence of two cases in which she appeared as the victim of the crime of threats,⁸ both in a family context, as her son was the accused. In turn, the State clarified that there were reportedly no threats in the context of her defense work that could have activated protection in her favor. The State maintained that this is not an “enforced disappearance” in the terms of international instruments.

20. The State also reported on the support provided by State institutions in favor of the proposed beneficiary’s family.⁹

actions carried out by each institution and to address the needs expressed by the proposed beneficiary’s family; ix) On March 8 and 9, 2025, the private company GEO RADAR CHILE, previously contracted by the Prosecutor’s Office, conducted non-destructive subsurface prospecting using ground-penetrating radar (GPR) in various areas of interest; x) On April 1 and 2, 2025, at the request of the Prosecutor’s Office, the Complex Cases Unit of the Legal Medical Service (SML) in Santiago conducted surveys at locations identified through the earlier GPR analysis. To date, the written report has not been submitted and new searches have yet to be carried out, the date of which is to be confirmed; x) on April 9, 2025, the Homicide Brigade of the Chilean Investigative Police was instructed in writing to analyze the data and call traffic of various individuals of interest. To date, this result is pending; xi) on June 2, 2025, a meeting is scheduled between the Regional Prosecutor’s Office team and the police officers in charge to evaluate further proceedings.

⁷ Protocol of action in matters of alleged misfortunes of the National Prosecutor’s Office, of November 2020; Protocol for the Protection of Human Rights Defenders, approved by Exempt Decree No. 1432 dated June 27, 2024; Guide to investigative proceedings of the specialized Human Rights Unit of the National Prosecutor’s Office; OFFICIAL LETTER FN No. 1032/2021, on gender violence, dated December 3, 2021; OFFICIAL LETTER FN No. 618/2021, on institutional violence, dated July 28, 2021.

⁸ The first case dates from 2014, ended by a decision not to pursue the procedure; and the second case dates from 2022, ended by a conviction.

⁹ In particular, the following actions were carried out: On November 14, 2024, the Regional Secretariat of Agriculture of the Los Ríos Region provided the family with 150 kg of wheat and 50 kg of oats to feed the animals, as the proposed beneficiary had been responsible for their care; on December 2, 2024, the Valdivia Center for Victim Support (*Centro de Apoyo a Víctimas de Delitos de Valdivia*, CAVD) gathered information regarding the disappearance, in coordination with the Regional Public Security Coordinator of Los Ríos. They indicated that they are allegedly working with the Los Ríos Prosecutor’s Office and would be available for any requests for assistance. On

21. The State further noted that, on May 19, 2025, a criminal complaint was filed against the Regional Prosecutor of Los Ríos for the alleged crime of unlawful coercion, in connection with an investigative procedure carried out on January 30, 2025. This procedure had been authorized by a court and was conducted under the special procedural confidentiality established in Article 182 of the Chilean Code of Criminal Procedure. Moreover, on May 28, 2025, an appeal for protection of constitutional rights (*amparo*) was filed against the Regional Prosecutor before the Court of Appeals of Valdivia, questioning the proceedings carried out between January 30 and February 1, 2025, in the municipalities of Máfil and Los Lagos, which are part of the investigation, and in coordination with the police and other auxiliary agencies.

22. Lastly, the State referred to the steps taken by the National Corporation for Indigenous Development (*Corporación Nacional de Desarrollo Indígena*, CONADI) regarding land claims in the Putreguel indigenous community, as well as the status of those claims. In this regard, it was indicated that meetings have been held with the community to explain the corresponding process.

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

23. 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.

24. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have repeatedly established that precautionary and provisional measures have a dual nature, both protective and precautionary.¹⁰ Regarding the protective nature, these measures seek to avoid irreparable harm and protect the exercise of human rights.¹¹ To do this, the IACHR shall assess the

December 2, 2024, the Regional Prosecutor's investigative team explained to the representatives of the families the multiple searches and investigations underway. On December 3 and 5, 2024, the CAVD was informed by the Regional Unit for Assistance to Victims and Witnesses of Los Ríos (URAVIT) that the proposed beneficiary's son had been contacted and had expressed his willingness to be contacted and offered psychological assistance for himself, his family, and the affected community. A contact number for requesting support was provided; on December 11, 2024, a meeting was held at the National Indigenous Development Corporation (CONADI) with the proposed beneficiary's family, representatives of the Buen Vivir Plan, the Regional Director of CONADI, and representatives of the Presidential Delegation. During the meeting, a commitment was made to provide mental health support for children and adolescents in the family; contact was established with the Local Office for Children (*Oficina Local de la Niñez*, OLN) to coordinate psychological care for the children and adolescents; on December 16, 2024, a list containing the personal data of the children and adolescents was submitted; on December 18, 2024, a visit to the proposed beneficiary's home was carried out jointly with OLN to conduct an initial assessment; on December 19, 2024, representatives of the Search Committee participated in a coordination meeting convened by the Regional Presidential Delegation of Los Ríos. The meeting followed up on commitments made during the December 14 meeting, including measures such as the installation of security cameras, improvement of mobile phone signal and electrical supply, and provision of psychological support; on December 30, 2024, the Mayor of Máfil reported budgetary constraints affecting the municipality's ability to fulfill commitments related to cameras and electricity. Coordination efforts were undertaken with the Regional Delegation to ensure continuity in fulfilling these obligations; there has been constant communication with the family, including regular calls to relatives to check on their status and update them on the progress of the search; on January 3, 2025, the Center for Victim Support (CAVD) contacted family members to follow up and confirm that psychological care was indeed being provided by OLN, which was affirmed. On the same day, the CAVD Coordinator joined the Working and Coordination Committee for this case on a permanent basis. January 21, 2024: the proposed beneficiary's son requested a protective measure for the family home, and a security measure was granted with periodic patrols by the Carabineros de Máfil for 60 days, as well as ongoing informational meetings with family representatives, respecting the confidential nature of the investigation.

¹⁰ 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.

¹¹ 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,

problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the proposed beneficiaries would be left in case the measures are not adopted.¹² 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 move forward with the ordered reparations.¹³ 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.

25. 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.¹⁴ Similarly, the Commission recalls that, by its own mandate, it is not in 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.¹⁵ 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.¹⁶

26. Regarding the requirement of *seriousness*, the Commission considers that it has been met, given that to date the proposed beneficiary’s whereabouts have been unknown since her disappearance on November 8, 2024, which was reported two days later. Based on the information provided, the IACHR observes that both the State and the applicants agree that the proposed beneficiary is a 72-year-old indigenous woman, a defender of territorial and environmental rights, and president of the Putreguel Indigenous Community.

considerandum 5; Matter of Milagro Sala, Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish).

¹² 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).

¹³ 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).

¹⁴ 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.

¹⁵ 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.

¹⁶ 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).

Therefore, the applicants considered that the events that led to her disappearance were allegedly linked to her leadership role in the defense of the territory of the Putreguel Mapuche Community.

27. The Commission appreciates the efforts made by the State through its various institutions, as well as its commitment to continue overseeing the necessary measures to locate the proposed beneficiary. In particular, the IACHR takes note of the proceedings and search actions that the State is carrying out, as well as the lines of investigation opened on the facts, which are the subject of this matter. In this regard, it acknowledges the establishment of the Search Committee, as well as the follow-up activities, meetings, coordination efforts, and the commitments undertaken by the entities involved. These included the participation of the Public Prosecutor's Office, the Regional Presidential Delegation of Los Ríos, the Investigative Police, Fire Department, Carabineros, the Undersecretariat for Human Rights of the Ministry of Justice, the National Human Rights Institute, and other public institutions, with the aim of continuing to coordinate the necessary actions to determine the whereabouts of the proposed beneficiary. Similarly, it considers relevant the support and assistance that the competent authorities are providing to the proposed beneficiary's relatives and to the community.

28. However, the Commission notes that there is no dispute that the whereabouts of the proposed beneficiary remain unknown. In this regard, the ongoing investigation has not yet established what happened to the proposed beneficiary in order to clarify the facts and locate her. Therefore, this Commission considers that, despite the fact that more than seven months have passed since her disappearance, the situation of risk persists until her current location is found or information is available that allows the facts to be clarified. The Commission understands that the passage of time may hinder the eventual location of the proposed beneficiary. Consequently, considering that the State has acknowledged the application of the principle of enhanced due diligence, the Commission believes that it is time to take the additional measures necessary to locate or identify the destination of the items as soon as possible and increase efforts to this end.

29. In view of the foregoing, although the Commission is not called upon to qualify the domestic investigations and processes in this procedure, it notes that actions aimed at determining the whereabouts or fate of a disappeared person are directly related to the need to prevent harm from occurring to their rights and that, until their situation has been clarified, the proposed beneficiary allegedly faces a serious risk.¹⁷ The Commission recalls that in cases involving recent disappearances, it has found that, despite the investigative steps and search efforts undertaken by the State, risk factors persist as long as the whereabouts of the disappeared person remain unknown and the facts of the case have not been clarified.¹⁸

30. On this point, the Commission observes that the representatives and family members have raised questions about the investigation. These are being dealt with internally by the criminal and constitutional authorities, and the corresponding proceedings should continue. Notwithstanding the above, to date, it is clear that the whereabouts of the proposed beneficiary have not been determined, despite the time that has elapsed, nor has it been possible to clarify the events.

31. In view of the foregoing, taking into account the specific characteristics of this matter, and in light of the *prima facie* standard of the precautionary measures mechanism, the Commission warns that Julia

¹⁷ I/A Court H.R., Order of the Inter-American Court of Human Rights of May 26, 2010, Provisional Measures regarding the United States of Mexico, Matter of Alvarado Reyes et al., para. 9. See also: IACHR, Resolution 43/2020, Precautionary Measure No. 691-20, Facundo José Astudillo Castro regarding Argentina, August 1, 2020, para. 25; Resolution 69/2023, Precautionary Measure No. 845-23, Silvestre Merlín Domínguez et al. regarding Mexico, November 20, 2023, para. 25.

¹⁸ IACHR, Resolution 12/2025, Precautionary Measure No. 1350-24, Matter of Edwin Edgardo Lainez Ordoñez regarding Honduras, February 2, 2025; Resolution 69/2023, Precautionary Measure 845-23, Matter of Silvestre Merlín Domínguez et al. regarding Mexico, November 20, 2023; Resolution 1/2023, Precautionary Measure No. 42-23, Ricardo Arturo Lagunes Gasca and Antonio Díaz Valencia regarding Mexico; Resolution 24/2022, Precautionary Measure No. 449-22, Case Bruno Araújo Pereira and Dom Phillips regarding Brazil, June 11, 2022; Resolution 86/2021, Precautionary Measure No. 869-21, Matter of Antônio Martins Alves regarding Brazil, October 21, 2021; Resolution 24/2018, Precautionary Measure No. 81-18, Matter of Náthaly Sara Salazar Ayala regarding Peru, April 8, 2018.

Chuñil Catricura's rights to life and personal integrity are seriously at risk, to the extent that her fate or whereabouts are unknown to date and there is no information that points to the clarification of the facts that led to this request. Moreover, in assessing the seriousness of the situation, the Commission considers that the proposed beneficiary faces a specific and heightened risk due to her status as an indigenous leader, an elderly person, and a human rights defender who has disappeared in the context of a territorial or environmental conflict, while actively working to defend her own rights and those of her community. In reaching this determination, the Commission also notes that the events surrounding the proposed beneficiary are not identified as a "common case."

32. Regarding the requirement of *urgency*, the Commission deems that it has also been met, to the extent that the passage of time without establishing her whereabouts is likely to generate greater impact on the proposed beneficiary's rights to life and personal integrity. In this regard, since more than three months have passed since her whereabouts have been unknown, the Commission considers it necessary to adopt immediate measures to safeguard her rights.

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

34. Lastly, the Commission stresses that, although information was presented on members of the proposed beneficiary's family, the claims focused on the proposed beneficiary, and there are not sufficient factual elements to assess her situation. Notwithstanding, the Commission recalls the obligations that the State has in her favor under the terms of Article 1(1) of the American Convention.

IV. BENEFICIARY

35. The Commission declares Julia Chuñil Catricura, who is duly identified in this proceeding, as the beneficiary.

V. DECISION

36. The Inter-American Commission considers that this matter meets, *prima facie*, the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Accordingly, it requests that Chile:

- a) redouble its efforts to determine the situation and whereabouts of Julia Chuñil Catricura; and
- b) report on the actions taken to investigate the alleged events that gave rise to this resolution, so as to prevent them from reoccurring, keeping the beneficiary's family informed, as appropriate.

37. The Commission requests that the State of Chile provide details, within 15 days from the date of notification of this resolution, on the adoption of the precautionary measures requested and update that information periodically.

38. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute a prejudgment on any violation of the rights protected under the applicable instruments.

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

40. Approved on July 14, 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