
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 7/2025**

Precautionary Measure No. 205-24
Carlos Julio Rojas regarding Venezuela
January 20, 2025
Original: Spanish

I. INTRODUCTION

1. On February 5, 2024, 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 Coalition for Human Rights and Democracy (“the requesting party” or “the applicants”), urging the Commission to require that the Bolivarian Republic of Venezuela (“the State” or “Venezuela”) adopt the necessary measures to protect the rights to life and personal integrity of journalist and social activist Carlos Julio Rojas (“the proposed beneficiary”). According to the request, the proposed beneficiary was detained by Venezuelan security forces on April 15, 2024, in Caracas, Venezuela. He is reportedly incommunicado and without access to a trusted attorney. To date, it is not known about the conditions of his current detention or his health.

2. Pursuant to Article 25(5) of the Rules of Procedure, the Commission requested additional information from the applicants on March 20 and December 6, 2024, and received responses on April 24, May 3, May 31, and December 24, 2024. On December 30, 2024, the IACHR requested observations from the State, who has not responded to date, and the granted period has since expired.

3. Upon analyzing the submissions of fact and law offered by the applicants, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that his rights face a risk of irreparable harm. Consequently, based on Article 25 of its Rules of Procedure, the Commission requests that Venezuela: a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Carlos Julio Rojas, in accordance with the applicable international standards; b) implement the necessary measures to ensure that his detention conditions are compatible with the applicable international standards on the matter, in particular: i. guarantee regular contact with and access to his family members, lawyers, and representatives; ii) provide official information on the legal situation of the beneficiary in the framework of the criminal process in which he is said to be involved; iii. immediately carry out a medical evaluation of his health and guarantee access to the necessary medical care; c) consult and agree upon the measures to be adopted with the beneficiary and his representatives; and d) report on the actions taken to investigate the alleged facts that led to this resolution, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. The proposed beneficiary is a human rights activist, journalist, and assistant secretary of the National Association of Journalists - Caracas, Venezuela. Due to his work, since 2015 he has been the victim of persecution and harassment by the state intelligence and counterintelligence bodies, who have identified him as a “traitor to the homeland.” On April 15, 2024, the proposed beneficiary was allegedly arbitrarily detained by agents of the Bolivarian National Intelligence Service (SEBIN). Currently, he is being held at the headquarters of the Caracas Metropolitan Area 1 Detention Center for Prosecuted and Sentenced Persons, Maximum Security, in incommunicado conditions and without access to a trusted lawyer. As indicated, he allegedly suffers from diseases, and there is no official information on his health, the health care received, nor on his detention conditions.

5. The request added that his detention is framed in a context of systematic persecution and violence against the proposed beneficiary, in retaliation for his human rights defense work. As background information, the request raised the following facts:

- i. The proposed beneficiary was allegedly arbitrarily detained on January 10, 2015, by officers assigned to the Bolivarian National Guard (GNB), while he was working as a journalist and covering a demonstration organized by a group of citizens in the Bicentennial Supply located in Libertador, in the city of Caracas. At that time, the proposed beneficiary served as head of the press of the Association of Workers, Entrepreneurs and Microentrepreneurs (ATRAEM) and the Institute of Higher Trade Union Studies. He was released on probation by Court 36 acting as Control with Criminal Jurisdiction of the Metropolitan Area of Caracas. During the four days that he was deprived of his liberty, he was allegedly the victim of acts of violence which qualify as “torture,” such as electric shocks to his head.
- ii. On July 6, 2017, within the framework of the “Zamora Plan,” he was again detained by officers of the Special Actions Forces of the Bolivarian National Police (FAES), while traveling in the San Bernardino Parish in the city of Caracas. As indicated, he was kept in handcuffs for 72 hours, in a cell of common prisoners. On July 10, 2017, he was presented before a Military Court that ordered the imprisonment of the proposed beneficiary in Ramo Verde, on the charge of “treason against the homeland and against the integrity, independence and freedom of the nation.” During the 45 days of detention, he was isolated in a punishment cell where he was unable to eat or drink water for six days.
- iii. On September 5, 2018, the proposed beneficiary was arbitrarily deprived of his liberty by officers of the Caracas Police (Policaracas), who kept him incommunicado for three hours in the Los Caobos Park detachment and subsequently released him at 8:02 p.m. on the same day. According to testimony attached to the file, he was detained when he was walking back from a meeting, for presenting a “suspicious attitude.”
- iv. On March 14, 2020, the proposed beneficiary was attacked with blunt devices by “colectivos” belonging to the governing party, while protesting in front of the Attorney General’s Office. According to a press release attached to the file, the proposed beneficiary was beaten with a helmet on his head and neck, punched and kicked, and stripped of his shirt and glasses, which were trampled. These attacks reportedly occurred in front of the Bolivarian National Police (PNB) and also included death threats against a fellow journalist who was accompanying him.
- v. On July 23, 2020, the proposed beneficiary was again detained by members of the Bolivarian National Guard (GNB) while accompanying and covering a demonstration of pensioners who demanded an increase in pensions from the National Executive. The request described the events as a short-term “forced disappearance.”
- vi. During 2023, members of the General Directorate of Military Counterintelligence (DGCIM) tried to incriminate the proposed beneficiary in an alleged “subversive movement” in order to justify his deprivation of liberty. According to a press release attached to the file, on September 4, 2023, at a presentation hearing of an Anthropology student from the University of Venezuela detained on August 30 by members of the Bolivarian National Police (PNB), the young man stated that he was forced to record a video and, “under torture,” they forced him to say that Rojas “has organized the neighbors to create conflict in the center of Caracas.”
- vii. On March 7, 2024, at 5:00 p.m., the proposed beneficiary was threatened and verbally assaulted by a “collective” affiliated with the governing party.

6. Regarding his detention on April 15, 2024, the request indicated that unidentified officers, who allegedly belonged to SEBIN, forced him to enter a gray vehicle, under threat and constraint, in alleged non-compliance with constitutional procedures. It was alerted that, since his deprivation of liberty, he has not been allowed access to a trusted lawyer and has not had contact with his relatives since July 28, 2024. He was also subjected to a period of solitary confinement in a cell without adequate ventilation and sunlight.

7. The request added that on April 18, 2024, the relatives filed an amparo action, in the form of *habeas corpus*, before the Court of First Instance in Control Functions of the Criminal Jurisdiction of the Criminal Judicial Circuit of the Capital District. To date no response has been received. It was added that the Ombudsperson's Office refuses to receive complaints for the "illegitimate deprivation of liberty" of the proposed beneficiary, presented by his relatives and legal representatives. In addition, they have not accessed the file nor have they been allowed to be sworn in or file complaints, under the justification that they do not have the legitimacy to file petitions.

8. Regarding his health situation, it was reported that, since the beginning of 2024, the proposed beneficiary began to present tachycardia and increased blood pressure. Therefore, he is said to require the use of pills and special diet. The requesting party understands that the proposed beneficiary does not receive adequate medical care.

B. Response from the State

The Commission requested information from the State on December 30, 2024. However, despite the expiration of the given deadline, the State has not submitted its response to date.

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

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

11. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.¹ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights². To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.³ As for their

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

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

³I/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).

precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.⁴ In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

- a. “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. “urgent situation” refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

12. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.⁵ Similarly, the Commission recalls that, by its own mandate, it is not called upon to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.⁶ This is better suited to be addressed by the Petition and Case system. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without making any determination on the merits.⁷

13. Regarding the *context*, the Commission recalls that it has been monitoring the rule of law and human rights situation in Venezuela, and has included the country in Chapter IV of its Annual Report since 2005.⁸ It has also issued press releases and country reports, and established a special follow-up mechanism known as MESEVE (Special Follow-up Mechanism for Venezuela). In its 2023 report, the Commission observed the ongoing instrumentalization of justice in Venezuela to persecute and detain opponents or persons perceived as such, due to the absence of the rule of law and the co-optation of the Judicial Power by the Executive Branch.⁹ It also identified the persistence of a hostile environment for the exercise of journalism and

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

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

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

⁷ In this regard, the Court has indicated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” See in this regard: I/A Court H.R., [Matter of James et al. regarding Trinidad and Tobago](#), Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2.

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

⁹ IACHR, 2023 Annual Report, Ch. IV.B. Venezuela, previously cited, para. 49.

the use of criminal law as a form of intimidation.¹⁰ Between 2020 and 2023, the Independent International Mission documented 58 arbitrary detentions, of which at least 53 were reportedly selective towards real or perceived opponents.¹¹ The Commission warned that persons deprived of liberty for political reasons face differentiated treatment derived from the reasons that motivated their imprisonment, which affects their conditions of detention and increases the risk of torture and other cruel, inhuman, or degrading treatment¹². The information available to the Commission, known in 2023, accounts for at least 160 complaints of torture of political prisoners in state custody that occurred from 2017 to 2020.¹³ In this regard, the IACHR recommended that the State of Venezuela refrain from carrying out illegal or arbitrary detentions. In cases where a person is deprived of liberty, the State should ensure that all due process guarantees are upheld, including prompt presentation before an independent judicial authority, in order to prevent enforced disappearances, torture, and other cruel and inhumane treatment¹⁴.

14. 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,¹⁵ while using “terror as a tool of social control.”¹⁶

15. In light of Article 25(6) of its Rules of Procedure, the Commission understands that the circumstances in which the detention of the proposed beneficiary has taken place, along with the country contextual monitoring carried out by the IACHR, are relevant in the analysis of the procedural requirements.

16. In analyzing the requirement of *seriousness*, the Commission takes into account, in addition to the aforementioned context, the situation faced by the proposed beneficiary, who has been deprived of his liberty since April 2024. As indicated, he is reportedly incommunicado and without access to a trusted lawyer. Likewise, there is no information on his detention conditions or the medical attention provided to his health situation. In this regard, the Commission notes that the state authorities have not provided official information on minimum elements, such as the possible existence of a criminal proceeding or investigation against him; the authority conducting the investigation; the type of criminal offense for which he is being investigated; whether he was taken to a competent court to review his detention; the place where he is being held; and the current conditions of his detention or his state of health.

17. The Commission reminds that, according to inter-American standards, the State is obligated to maintain an updated record of detentions, promptly provide information about the person’s whereabouts and health, and, if the person is in State custody, present them before a competent judicial authority within legal timeframes while fully respecting judicial guarantees at all times.¹⁷

18. The requesting party believes that the proposed beneficiary was allegedly subjected to acts of violence, and that he did not receive medical attention in the prison. They also recalled the background of the detentions in which the proposed beneficiary was subjected to acts that they qualify as torture. In view of these allegations, the Commission lacks news on the actions taken by the State regarding the reported acts of violence, as well as on whether the proposed beneficiary has undergone a medical evaluation or if he has been receiving adequate treatment to safeguard his physical and mental integrity. It has also not been reported whether he has received medical attention related to the health conditions pre-existing at the time of his

¹⁰ IACHR, 2023 Annual Report, Ch. IV.B. Venezuela, previously cited, para. 58 and 61.

¹¹ IACHR, 2023 Annual Report, Ch. IV.B. Venezuela, previously cited, para. 50.

¹² IACHR, 2023 Annual Report, Ch. IV.B. Venezuela, previously cited, para. 50.

¹³ IACHR, 2023 Annual Report, Ch. IV.B. Venezuela, previously cited, para. 50.

¹⁴ IACHR, 2023 Annual Report, Ch. IV.B. Venezuela, previously cited, Recommendation 9.

¹⁵ IACHR, [Country Report](#), Venezuela: Serious Human Rights Violations in the Electoral Context, OEA/Ser.L/V/II Doc. 253/24, December 27, 2024, para. 3.

¹⁶ IACHR, Press Release 184/24, [IACHR and SRFoE condemn State terrorism practices in Venezuela](#), August 15, 2024.

¹⁷ IACHR, [2021 Annual Report](#), Ch. IV.B, Venezuela, OEA/Ser.L/V/II. Doc. 64 rev. 1, approved on May 26, 2022, para. 86.

detention.

19. The Commission also notes that there are no domestic avenues available to seek protection for the proposed beneficiary. As indicated, the representatives of the proposed beneficiary filed a writ of *habeas corpus* in April 2024. However, after nine months, the request remains unanswered. It was also indicated that his trusted lawyer does not have access to the file and that he was not allowed to be sworn in. This refusal deepens his situation of helplessness. As long as this situation persists and the State fails to provide precise answers, the Commission considers that the proposed beneficiary is left completely vulnerable in relation to the current situations he may be currently facing, under the State's custody.

20. The Commission regrets the lack of response from the State of Venezuela. Although this is not enough per se to justify the granting of a precautionary measure, it does prevent the Commission from obtaining information that allows it to contrast the allegations. Similarly, the Commission is unable to determine the actions that authorities may be taking to mitigate or address the situation that is purportedly placing the proposed beneficiary at risk. Although it is not for this Commission to determine the perpetrators of the facts, it does express its concern at the possible involvement of state actors in the alleged facts, which places the proposed beneficiary in a situation of vulnerability. This is of special relevance in the framework of persons in the custody of the State, as is the case of persons deprived of liberty.

21. In summary, the Commission concludes that, based on the *prima facie* standard, it is estimated that the rights to life, personal integrity, and health of the proposed beneficiary are at serious risk, as it is unknown to date about his conditions of detention and state of health since April 15, 2024, after being subjected to solitary confinement and without the possibility of activating judicial remedies in his favor.

22. Regarding the requirement of *urgency*, the Commission finds that it has been fulfilled, insofar as the proposed beneficiary's health and detention conditions remain unknown, and because with the passage of time the likelihood of violations of his rights increases in the current context of the country. In addition to the above, the Commission emphasizes the lawyer and family member's inability to initiate internal measures to verify the proposed beneficiary's health and detention conditions. Therefore, it is necessary to immediately adopt measures to safeguard his rights.

23. As it pertains to the requirement of *irreparable harm*, the Commission considers that it is met, to the extent that the possible impact to the rights to life, personal integrity, and health constitutes the maximum situation of irreparability.

IV. BENEFICIARY

24. The Commission declares Carlos Julio Rojas as the beneficiary of the precautionary measures, who is duly identified in this proceeding.

V. DECISION

25. The IACHR 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. Consequently, the Commission requests that Venezuela:

a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Carlos Julio Rojas, in accordance with the applicable international standards;

b) implement the necessary measures to ensure that his detention conditions are compatible with the applicable international standards on the matter, in particular: i. guarantee regular contact with and access to his family members, lawyers, and representatives; ii) provide official information on the legal

situation of the beneficiary in the framework of the criminal process in which he is said to be involved;
iii. immediately carry out a medical evaluation of his health and guarantee access to the necessary medical care;

c) consult and agree upon the measures to be adopted with the beneficiary and his representatives;
and

d) report on the actions taken to investigate the alleged facts that led to this resolution, so as to prevent such events from reoccurring.

26. 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.

27. 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.

28. The Commission instructs its Executive Secretariat to notify this resolution to the Bolivarian Republic of Venezuela and the requesting party.

29. Approved on January 20, 2025, by Roberta Clarke, President; Carlos Bernal Pulido, First Vice-President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Jorge Meza Flores
Assistant Executive Secretary