

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 77/2025**

Precautionary Measure No. 999-23
Juan Carlos Hollman regarding Argentina¹
November 15, 2025
Original: Spanish

I. SUMMARY

1. The Inter-American Commission on Human Rights (IACHR) decides to lift these precautionary measures in favor of Juan Carlos Hollman, in Argentina. In 2024, the parties confirmed the beneficiary's death. The Commission expressed its regret over the incident, and observed that the precautionary measures are ineffective in the absence of the person they were intended to safeguard. Therefore, it has decided to lift these measures.

II. BACKGROUND INFORMATION

2. On January 12, 2024, the IACHR adopted precautionary measures in favor of Juan Carlos Hollman in Argentina.² The request stated that the beneficiary was deprived of his liberty while facing a situation that posed a risk to his health, life, and personal integrity. It was alleged that he had colon cancer and was not receiving timely and adequate medical care. Having assessed the available information, and in accordance with Article 25 of the IACHR Rules of Procedure, the IACHR requested that Argentina: a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Mr. Juan Carlos Hollman. In particular, provide the prescribed medical treatment in a timely and appropriate manner; b) consult and agree upon the measures to be adopted with the beneficiary and his representative; and c) report on the actions taken in order to investigate the alleged events that led to the adoption of this precautionary measure, so as to prevent them from reoccurring.

3. Gustavo Daniel Prellezo exerts representation before the Commission.

III. INFORMATION PROVIDED DURING THE TIME THESE PRECAUTIONARY MEASURES WERE IN FORCE

4. During the time these precautionary measures were in force, the Commission submitted requests for information to both parties. Communications have been received from the parties and sent from the IACHR on the following dates:

	Reports from the State	Communications by the representation	IACHR
2024	March 1, April 16, May 3, June 7, August 22, October 24	January 18, January 25, February 1, February 6, February 12, February 16, March 27, April 3, May 28, July 3, August 7	January 16, February 1, March 20, May 7, August 6, August 7
2025	No information	April 17 and October 14	September 15

5. On August 2 the State requested that the precautionary measures be lifted and reiterated this request on October 24, 2024. The IACHR forwarded these communications to the representation on September 15, 2025, and they submitted their response on October 14, 2025.

¹ In accordance with Article 17(2)(a) of the IACHR Rules of Procedure, Commissioner Andrea Pochak, of Argentine nationality, did not participate in the debate and deliberation of this matter.

² Inter-American Commission on Human Rights (IACHR), [Resolution No. 3/2024](#), Precautionary Measures No. 999-23, Juan Carlos Hollman regarding Argentina, January 12, 2024.

A. Information provided by the State

6. On March 1, 2024, the State reported that on February 6, the beneficiary was admitted to the San Martín Hospital in La Plata, where he underwent surgery on February 16. In that communication, it was stated that there was ‘good clinical and surgical progress,’ and that the beneficiary remained hospitalized in that facility. On May 3, 2024, the State indicated that, according to a medical report dated March 26, the beneficiary was described as follows:

“Alert, lucid, oriented to time and place, afebrile, eupneic, and hemodynamically stable. Vital signs within normal parameters. Lost weight.”

7. In the report dated May 3, 2024, the State added that the beneficiary remained hospitalized at the General San Martín Interzonal Acute and Serious Care Hospital (HIGA) in La Plata, showing ‘acceptable progress,’ with a ‘vital and functioning ileostomy, mucosal fistula, and a functioning VAC system. On June 7, 2024, the State informed that the beneficiary had died on May 22, while in the hospital where he was admitted.

8. On August 22, 2024, the State requested that the precautionary measures be lifted. On October 24, 2024, they reiterated this request.

B. Information provided by the representation

9. On January 18, 2024, the representation stated that on January 16, the beneficiary was transferred from Penal Unit No. 9 in La Plata (under the jurisdiction of the Buenos Aires Penitentiary Service) in a prisoner transport vehicle, with no measures to protect his health or physical condition. He had a rubber tube extending from his abdomen, connected to a colostomy bag at his side. The representation added that the beneficiary did not report the lack of medical care given the fact that, whenever he did so, a medical report was issued following a visit with a prison doctor or with a physician at the General San Martín Interzonal Acute and Serious Care Hospital (HIGA). The representation reported that the beneficiary’s cancer treatment had been suspended two years prior. They added that the beneficiary had missed several appointments and, as a result, had been unable to complete the pre-surgical reports that are a prerequisite for this type of procedure.

10. On January 25, 2024, the representation reported that Buenos Aires Penitentiary Service again transferred the beneficiary from Penal Unit No. 9 of La Plata to the General San Martín Interzonal Acute and Serious Care Hospital (HIGA) on January 23. At the hospital, the physicians informed them that colon surgery needed to be performed as soon as possible. They explained that all pre-surgical tests had to be repeated given that the previous ones had expired and they needed updated information on the status of the tumor and the body’s response to surgery. The representation noted that the beneficiary stated that these medical examinations had already been carried out twice, but had expired each time without the surgery ever being performed.

11. On February 2, 2025, the representation reported that the beneficiary was again transferred to the General San Martín Interzonal Acute and Serious Care Hospital (HIGA) on January 30. They emphasized that these transfers affected the beneficiary’s delicate health. The representation explained that, after visiting the beneficiary, they found that his health has deteriorated, and he experienced frequent pains and profuse bleeding.

12. On February 6, 2024, the representation informed that the Oral Criminal Court No. 4 La Plata rejected the three *writs of habeas corpus* filed by the beneficiary’s official defense (these requested house arrest, parole, and that the case had reached its statute of limitation). It was emphasized that, in the operative part,

the order stated verbatim: ‘Order the immediate transfer of the defendant, Juan Carlos Hollman, to the San Martín Hospital in the city of La Plata, taking the necessary security precautions into consideration, to proceed with his urgent hospitalization, and to immediately carry out his surgical intervention and subsequent oncological treatment.’

13. On February 12, 2024, the representation reported that the beneficiary was admitted to the General San Martín Interzonal Acute and Serious Care Hospital (HIGA) on February 6. On February 16, 2024, the representation reported that they had visited the beneficiary at the hospital, and confirmed that he was undergoing tests that had never been performed before, and that once these were completed, the surgery would take place. They added that the beneficiary was being guarded by two uniformed members of the Buenos Aires Penitentiary Service. They indicated that he was visibly emaciated and was unable to rest well because he was handcuffed to his left wrist and leg (right ankle).

14. On March 27, 2024, the representation warned that the beneficiary presented other health issues, including kidney failure and right-sided pneumonia. They pointed out that he had not been treated until that moment. On April 3, 2024, the representation reported a deterioration in the beneficiary’s health. On May 28, 2024, the representation announced that the beneficiary had died. On July 3, 2024, the representation noted that, according to the beneficiary’s death certificate (which was submitted as an attachment), the cause of death was “multiple organ failure,” “edema,” “pulmonary congestion,” and “pneumopathy.”

15. On August 7, 2024, the representation reiterated their claim that the State bore accountability for the beneficiary’s death, due to their delay in providing the treatment required for his health issues and the pain this caused him. On October 14, 2024, the representation agreed to lift these precautionary measures due to the loss of its subject matter, although they reaffirmed their considerations regarding the State’s responsibility in the beneficiary’s death.

IV. ANALYSIS OF THE REQUIREMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM

16. The precautionary measures mechanism is part of the Commission’s functions of overseeing compliance with the human rights obligations established 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; while the mechanism of precautionary measures is set forth in Article 25 of the Commission’s Rules of Procedure. In accordance with this Article, the IACHR grants precautionary measures in urgent and serious situations in which these measures are necessary to avoid irreparable harm to persons or to the subject matter of a petition or case before the organs of the inter-American system.

17. 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.³ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.⁴ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and the vulnerability to

³ 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.

⁴ I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 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).

which the persons proposed as beneficiaries would be exposed if the measures are not adopted.⁵ Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under study by the organs of the inter-American system. 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 of the final decision. In this regard, precautionary or provisional measures allow the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations. 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.

18. In this sense, Article 25(7) of the Commission’s Rules of Procedure establishes that decisions granting, extending, modifying or lifting precautionary measures shall be adopted through reasoned resolutions. Article 25(9) sets forth that the Commission shall evaluate periodically, at its own initiative or at the request of either party, whether to maintain, modify or lift the precautionary measures in force. In this regard, the Commission shall assess whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary measures persist. Furthermore, it shall consider whether there are new situations that may meet the requirements outlined in Article 25 of its Rules of Procedure.

19. Similarly, the Commission recalls that while the assessment of the procedural requirements when adopting precautionary measures is carried out from a *prima facie* standard of review, keeping such measures in force requires a more rigorous evaluation.⁶ In this sense, when no imminent risk is identified, the burden of proof and argument increases over time. The Inter-American Court has indicated that the passage of a reasonable period of time without any threats or intimidation, added to the lack of imminent risk, may lead to the lifting of international protection measures.⁷

20. In this matter, the Commission emphasizes that precautionary measures were granted in 2024 in favor of Juan Carlos Hollman due to the risks arising from his overall health, health issues, and the potential consequences of not receiving adequate medical treatment while deprived of his liberty. During the time these precautionary measures were in force, the IACHR monitored the situation until informed of his death in May 2024, which was confirmed by the parties.

21. Although the available information shows that the State provided medical care in favor of the beneficiary, including surgical procedures and other medical examinations, the representation questioned the adequacy and timeliness of the care. Consequently, given that the representation’s new request is that the IACHR determine the State’s responsibility, the Commission considers that it may examine these allegations within the framework of a petition, provided that the applicable admissibility requirements are met.

⁵ 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).

⁶ I/A Court H.R., Case of Fernandez Ortega et al., Provisional Measures regarding Mexico, Order of February 7, 2017, considerandums 16 and 17.

⁷ I/A Court H.R., Case of Fernandez Ortega et al., previously cited.

22. The Commission regrets the beneficiary's death and considers the matter moot, given that the person who was the subject matter under protection has died. Consequently, the requirements established in Article 25 of its Rules of Procedure are no longer met.

23. Lastly, and in line with the Inter-American Court's position in various matters,⁸ the lifting of precautionary measures or the declaration of non-compliance does not constitute a decision on the merits of the case should it be submitted to the inter-American system through a petition, nor does it prejudice the determination of state responsibility for the alleged events. Nor does it imply that the State effectively complied with the IACHR's request to protect the rights of the beneficiary.

V. DECISION

24. The Commission decides to lift these precautionary measures in favor of Juan Carlos Hollman.

25. The Commission instructs the Executive Secretariat of the IACHR to notify this resolution to the State of Argentina and the representation.

26. Approved on November 15, 2025, by José Luis Caballero Ochoa, President; Arif Bulkan, Second Vice-President; Edgar Stuardo Ralón Orellana; Roberta Clarke; and Carlos Bernal Pulido, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary

⁸ I/A Court H.R., [Matter of Guerrero Larez](#), Provisional Measures regarding Venezuela, Order of August 19, 2013, considerandum 16; Matter of Natera Balboa, Provisional Measures regarding Venezuela, Order of August 19, 2013, considerandum 16.