
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 37/2023**

Precautionary Measure No. 438-23
Mary Yuli González Pérez regarding Venezuela
June 24, 2023
Original: Spanish

I. INTRODUCTION

1. On June 6, 2023, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by *Observatorio Venezolano de Prisiones* (“the applicants”), urging the Commission to request that the Bolivarian Republic of Venezuela (“Venezuela” or “the State”) adopt the necessary measures to protect the rights to life and personal integrity of Mary Yuli González Pérez (“the proposed beneficiary”), alternate council member to the Capital District City Council. According to the request, the proposed beneficiary is at risk as a result of threats, harassment, and acts of violence against her as a consequence of her work as a council member and her activities of political opposition.

2. Pursuant to Article 25(5) of its Rules of Procedure, the IACHR requested information from the State on June 12, 2023. The State has not provided information to date.

3. Upon analyzing the submissions of fact and law provided by the applicants, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that her rights to life and personal integrity are at risk of irreparable harm. Therefore, the IACHR requests that Venezuela: a) adopt the necessary measures to protect the rights to life and personal integrity of Mary Yuli González Pérez; b) adopt the necessary protection measures so that Ms. Mary Yuli González Pérez can continue to carry out her social and political activities, particularly in exercise of her duties as alternate Council Member to the Capital District City Council, without being subject to threats, intimidation, harassment or acts of violence; c) consult and agree upon the measures to be implemented with the beneficiary and her representatives; and d) report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the applicants

4. The request indicates that Ms. Mary Yuli González Pérez, 52 years old, was elected as an alternate council member for the municipality of Bolivariano Libertador of the Capital District City Council for the 2021-2025 term, by the coalition, *Mesa de la Unidad Democrática* (Democratic Unity Roundtable), representing the *Voluntad Popular political party* (Popular Will), which is an opposition to the government. The request details the proposed beneficiary’s efforts and career since she was 20 years old to date. It also mentioned that she lives with her three children, her brother, her uncle, her aunt, her niece, her grandchildren, and her partner.

5. In turn, it was indicated that since 2019 she has been subject to acts of violence, threats, and harassment by *colectivos*¹ (armed pro-government groups) and other pro-government actors in the

¹ Referring to an OHCHR report, they indicate these “are organizations which formed to support their communities and implement governmental programs,” adding that they control low-income areas of cities and that they are usually “armed pro-Government

municipality, due to her affiliation with *Voluntad Popular* and her social work as a council member of the municipality. Through her affiliation, she allegedly reported public officials and other incidents within the *parroquias* (municipal districts). The request indicates that the events have taken place in two different time periods, first in 2019 when she worked as head of *Voluntad Popular* in the *parroquia* Santa Rosalía and, recently in 2023, as a result of her work as a council member.

6. In this sense, as head of *Voluntad Popular*, Ms. Mary Yuli led a protest against the shortcomings in public services in the *parroquia* Santa Rosalía on November 30, 2019. A few days later, on the night of December 3, 2019, a group of individuals dressed in black and wearing balaclavas vandalized the walls of her house with the letter “F”, which stands for “fascist”, and they threw pamphlets which showed the faces of Hugo Chavez and Simon Bolivar through her window. It was stated that one of the pamphlets was set on fire. Her brother noticed what was happening and was able to control the fire, which could have spread to the window curtain. It was noted that the pamphlets read “those who intend to generate chaos, violence, political intolerance and hatred... will be declared targets to be neutralized.”² It was also added that the party’s political coordinator, who also participated in the protests, was victim of a similar attack that same night. While the facts were publicly denounced by various party members, it was indicated that no formal complaint was filed due to lack of trust in the authorities and fear of retaliation from them. Furthermore, it was indicated that the proposed beneficiary knew that the attack was allegedly ordered by A.U., a council member from the *Partido Socialista Unido de Venezuela* (United Socialist Party of Venezuela, PSUV). When confronted by the proposed beneficiary, he allegedly responded with a “cynical laugh” and indicated that she “cannot accuse him of something that is not true.”

7. On September 22, 2022, the proposed beneficiary reportedly received a call from the assistant to the head of government of Caracas, telling her to no longer file any more public complaints, since “it was more convenient for her to call him rather than to file a public complaint.” This act was interpreted as a threat.

8. More recently, it was indicated that the proposed beneficiary has been promoting participation in the 2024 Venezuelan presidential elections, being that the primary elections will be held on October 23, 2023. In this regard, it was indicated that on April 1, 2023, while on a tour of various *parroquias* of the municipality with members of her party, two officials of the Bolivarian National Police (PNB) approached her to ask for her personal identification. They then questioned her activity in the area. After answering the presented questions, the officers escorted them to the next *parroquia*, where officials of the Municipal Police of Caracas once again asked them the same questions, joining the police officers that escorted them. Around noon, three *colectivo* members appeared: one woman and two men, one with a firearm. The people on the tour fled for safety, leaving only the proposed beneficiary and two colleagues at the location. The four police officers remained behind the *colectivo* members without intervening.

9. It was reported that a woman immediately got off a motorcycle and pulled the council member’s arm, insulting her and telling her that “she could not be in the *parroquia* Santa Rosalía because she did not have permission, they had nothing to do there, and that they were not going to stop bothering them.” The men insisted that they leave the *parroquia*, while one pointed his gun at them. The proposed beneficiary stated that she had the right to free transit as a woman and council member. By which they responded, that if they did not leave, they would take her to *parroquia* 23 de Enero (a reportedly dangerous neighborhood where the *colectivos* allegedly operate from). Faced with threats and the lack of action of the police officers, they decided to go to *parroquia* San Agustín, as they watched the *colectivo* members and police officers leave together in the opposite direction. Additionally, the *colectivo* members told them they had received a radio call that they were walking through the *parroquia* and were ordered to “neutralize” them. It was indicated that no

groups that intimidated, threatened, and attacked people perceived as opposed to the Government.” The report referred to in the request is submitted by: [OHCHR. Human rights violations and abuses in the context of protests in the Bolivarian Republic of Venezuela from 1 April to 31 July 2017](#). August 2017, p. 29.

² Appendix E. Image of a pamphlet that was reportedly received.

formal complaint was filed, as officials who had their personal information were present and did nothing to help them. However, a complaint of the acts was filed with the Ombudsperson's Office on May 12, 2023.

10. It was also reported that on May 10, 2023, the council member was on a main street of *parroquia* Santa Rosalía talking to a citizen who reported the extortion of merchants by *colectivo* members. That same day, an afternoon rally was scheduled in the same *parroquia* to encourage voting among the neighborhood for the primary election on October 22, 2023. Around 2:00 p.m., while the proposed beneficiary was waiting for her team, six *colectivo* members arrived. It was a group of people from the ruling party led by council member J. G., and the person in charge of administration of the cemetery. These people surrounded the council member, Mary Yuli, and her colleagues fled, leaving only three or four people. The proposed beneficiary claimed that they had more than 100 people "nearly standing shoulder to shoulder," as well as six motorcyclists, all of them wearing a black jacket and one wearing a red jacket. The one with the red jacket carried a firearm, and the rest wore a recognizable belt bag. Additionally, she was insulted and called a criminal, and was told that she had no right to be there, to which she responded that she was a council member of the municipality and lived in the *parroquia*. People threw eggs, stones, and blunt objects at them and took photographs of them. In the request, it was added that the person who had reported the extortion of merchants earlier in the morning was beaten in the confrontation and isolated, while being called a "snitch."

11. A colleague on a motorcycle allegedly helped the proposed beneficiary flee. However, when she arrived at what she considered a safe location, the *colectivo* member wearing the red jacket was waiting for her. He then reportedly lifted his shirt and showed her the weapon he was carrying, with the intention of intimidating her. This person checked to see if Ms. Mary Yuli's partner was armed and asked if he was her security escort. He then proceeded to pull him by his shirt and beat him on the street.

12. Ms. Mary Yuli took refuge in the church and told the priest about the incident. They then heard the sounds of horns and megaphones. They were told that, if they did not come out and surrender, they would burn the church with them inside it. The priest came out while hugging the proposed beneficiary to protect her, but the church had been filled with hundreds of civilians dressed in red (indicating that they are pro-government) and *colectivo* members. Any attempt to dialogue with them failed. The people proceeded to jump over the bars of the church to enter and, while insulting the priest and insisting that they would burn down the church if he did not hand her over.

13. After contacting the PNB commander of the area four officers with long weapons arrived after 10 minutes. They parked a riot vehicle at the entrance of the church and reported being informed that they wanted to lynch someone. They proceeded to remove people from the back of the church. At the back exit, there were two *colectivo* members and, when they were going to get on their motorcycle, the police told them to stay calm because everything was fine. When the police took them out of the premises via motorcycle, the proposed beneficiary and her colleague were followed by the *colectivo* members. This led the officers to accelerate to dangerous speeds. They were taken to Plaza Venezuela, at the insistence that they not be left nearby and, although they showed good disposition, they did not take an official statement.

14. The proposed beneficiary reported the acts to the Ombudsperson's Office and went to the Public Ministry on May 12, 2023. Additionally, the Ombudsperson received the complaint, but did not take her statement. Moreover, regarding the Public Ministry, it was indicated that when attempting to file a complaint, they were denied at several of their offices. The proposed beneficiary tried again on May 15 and 17 but was unsuccessful. Therefore, she denounced the refusal to receive her complaint before the Office of the United Nations High Commissioner for Human Rights (OHCHR) on May 17, 2023.

15. The request states that the proposed beneficiary had to spend two days away from home. Her sister-in-law died in those days, and she was not able to attend the funeral for fear that they would identify her and attack her family. In this regard, it was indicated that when she left her house on the morning of May 12,

2023, she went with her partner to a bakery on the main street of the *parroquia* Santa Rosalía. Despite wearing a cap and glasses so as to not be recognized, one of the *colectivo* members recognized her and pointed to her while raising their hand. It was indicated that this gesture was understood as a threat to “shoot them,” having made a gesture used in the neighborhoods that means shooting or to shoot. After that, they chose to walk faster to return to their home. It was added that this was the fourth time that the proposed beneficiary saw this person, previously seeing him at the “first attack” at an assembly in the municipal market, and at the “third attack.”

16. As background information, it was indicated that the proposed beneficiary’s house is located in the *parroquia* Santa Rosalía, one of the 22 *parroquias* in Caracas. It is two blocks away from the Municipal Market and three blocks from the General del Sur Cemetery, locations known to be where *colectivo* members work as security people, hold assemblies, and provide security escorts for public officials. It was specified that there are only two exit routes out of her house, so she usually sees these armed groups. In turn, it was indicated that the fear spreads to her whole family. In this regard, her eldest daughter C. G. C. G., who worked in a store in the market, quit her job after the events of May 10, 2023.

17. The request refers to the situation as one of serious risk, considering the facts reported and the passivity of the security forces, along with the refusal to receive their complaints, which places her in a vulnerable situation. Along with the events of 2019, the attacks against her have intensified during 2023, and it is considered that the events were preceded by the warning phone call made by the assistant to the head of government of Caracas in September 2022.

B. Response from the State

18. The IACHR requested information from the State on June 12, 2023. However, the State has not submitted information to date.

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

19. 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, based on Article 41(b) of the American Convention on Human Rights and Article 18(b) of the IACHR Statute. Furthermore, the precautionary measures mechanism is described in Article 25 of the Rules of Procedure, according to which the Commission grants precautionary measures in situations that are serious and urgent as well as necessary to prevent irreparable harm.

20. 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.³ Regarding the protective nature, these measures seek to avoid irreparable harm and 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 See in this regard: I/A Court H.R. [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#). Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela. Order of the Inter-American Court of Human Rights of March 30, 2006, considerandum 5; I/A Court H.R. [Case of Carpio Nicolle et al. v. Guatemala](#). Provisional Measures. Order of July 6, 2009, considerandum 16.

⁴ See in this regard: I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 8; I/A Court H.R. [Case of Bámaca Velásquez v. Guatemala](#). Provisional Measures. Order of the Court of January 27, 2009, considerandum 45; I/A Court H.R. [Case of Fernández Ortega et al. regarding Mexico](#). Provisional Measures. Order of the Court of April 30, 2009, considerandum 5; I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [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 legal situations while under the consideration of the IACHR. They aim to safeguard the rights at risk until the request 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.⁶ 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.

21. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.⁷ Similarly, the Commission recalls that, by its own mandate, it is not called upon to make a determination on any individual criminal liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the applicable instruments.⁸ This is better suited to be addressed by the petition and case system. The following analysis relates exclusively to the requirements set forth in Article 25 of the Rules of Procedure, which can be done without making any determinations on the merits.⁹

22. The Commission reaffirms its jurisdiction over the State of Venezuela, in the terms formulated in the cases it has been submitting to the Inter-American Court in the framework of the petition and case

⁵ See in this regard: I/A Court H.R. [Matter of Milagro Sala](#). Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5 [only in Spanish]; I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 9; I/A Court H.R. [Matter of the Criminal Institute of Plácido de Sá Carvalho](#). Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6 [only in Spanish].

⁶ See in this regard: I/A Court H.R. [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#). Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 7; I/A Court H.R. [Matter of “El Nacional” and “Así es la Noticia” Newspapers](#). Provisional Measures regarding Venezuela. Order of the Court of November 25, 2008, considerandum 23; I/A Court H.R. [Matter of Luis Uzcátegui](#). Provisional Measures regarding Venezuela. Order of the Court of January 27, 2009, considerandum 19.

⁷ See in this regard: 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 the Inter-American Court of Human Rights of August 23, 2018, considerandum 13 [only in Spanish]; I/A Court H.R. [Matter of Children Deprived of Liberty in the “Complejo do Tatuapé” of the Fundação CASA](#). Request for extension of provisional measures. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 4, 2006, considerandum 23.

⁸ IACHR. [Resolution 2/2015](#). Precautionary Measure No. 455-13. [Matter of Nestora Salgado](#) regarding Mexico. January 28, 2015, para. 14; IACHR. [Resolution 37/2021](#). Precautionary Measure No. 96-21. [Gustavo Adolfo Mendoza Beteta and family](#) regarding Nicaragua. April 30, 2021, para. 33.

⁹ 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 the Inter-American Court of Human Rights of August 29, 1998, considerandum 6; I/A Court H.R. [Case of Barrios Family v. Venezuela](#). Provisional Measures. Order of the Inter-American Court of Human Rights of April 22, 2021, considerandum 2 [only in Spanish].

system, such as the *Case of Alfredo José Chirinos Salamanca et al. of the Bolivarian Republic of Venezuela*, submitted to the Inter-American Court on February 16, 2022.¹⁰

23. When analyzing the situation, the Commission considers it relevant to understand the alleged facts in the context in which they occur. As the Commission has been monitoring, Venezuela is experiencing a deepening of the country's political and social crisis and widespread repression, which has led to the absence of the rule of law.¹¹

24. Over recent years, the Commission has been pronouncing itself on the situation of the opposition or persons identified as opponents in Venezuela, receiving information on acts of violence and repression against them.¹² In particular, in its 2021 Annual Report, the Commission highlighted “the persecution, accusations and harassment of opposition voices in Venezuela, as well as against people who express criticism of the government.”¹³ In this regard, in the 2022 Annual Report, the Commission has found the existence of a context of “harassment, persecution, arbitrary detentions, lack of transparency and stigmatizing accusations against those who investigate and actively participate in matters of public and political interest.”¹⁴ Under this scenario, the IACHR has urged the Venezuelan State to guarantee the independence and balance of public powers and participation in public affairs without any type of discrimination.¹⁵

25. In turn, the situation has also been highlighted by the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela of the United Nations Organization (United Nations Fact-Finding Mission or the Mission), which has highlighted in its report that “dissidents and opponents of the Government, whether real or perceived” have been subject to intelligence work by the DGCIM and SEBIN, resulting in arrests, detentions, torture, and serious human rights violations.¹⁶

26. In light of the above, the precautionary measures mechanism has followed up on the harassment and aggression that some members and leaders of the political opposition in Venezuela allegedly face, considering it pertinent to adopt precautionary measures to safeguard their rights in several matters.¹⁷ In the adopted resolutions, the Commission has assessed the allegations received, for example, regarding alleged ill-treatment or torture in detention conditions, delegitimizing and discrediting statements made by high-ranking authorities that may generate a climate of animosity against them conducive to affecting their rights, or direct aggression and harassment against them or their family groups.

¹⁰ IACHR. Case 14.143. Alfredo José Chirinos Salamanca et al., Venezuela. Note of referral to the Inter-American Court [only in Spanish]. Available at: https://www.oas.org/es/cidh/decisiones/corte/2022/VE_14.143_NdeREs.PDF.

¹¹ IACHR. 2019 Annual Report of the IACHR. Chapter IV. B. Venezuela, para. 1.

¹² See in this regard: IACHR. Country Report. Democratic Institutions, the Rule of Law and Human Rights in Venezuela. December 31, 2017, para. 470; IACHR and its Special Rapporteurship on Economic, Social, Cultural, and Environmental Rights Condemn the Violent Repression in Venezuela and Urge the State to Protect Human Rights in the Current Political, Economic and Social Crisis. March 1, 2019; IACHR Observes Persistent Human Rights Issues in Venezuela. April 5, 2019; IACHR Condemns the Escalation of Attacks against Members of the Venezuelan National Assembly. May 14, 2019.

¹³ IACHR. 2021 Annual Report. Chapter IV.B Venezuela, para. 123.

¹⁴ IACHR. 2022 Annual Report. Chapter IV.B Venezuela, para. 43

¹⁵ IACHR. 2021 Annual Report. Chapter IV.B Venezuela, para. 196; 2022 Annual Report. Chapter IV.B Venezuela, recommendation 3.

¹⁶ Human Rights Council. Report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela. A/HRC/51/43, September 20, 2022, paras. 34-41 and 57-61, et al.

¹⁷ See, for example: IACHR. Leopoldo López and Daniel Ceballos regarding Venezuela (MC 335-14). Resolution 12/2015 of April 20, 2015 [only in Spanish]; Members of the Popular Will (Voluntad Popular) party regarding Venezuela (MC-475-15). Resolution 1/17 of January 14, 2017 [only in Spanish]; Luis Florido regarding Venezuela. Resolution No. 12/17 of April 7, 2017 [only in Spanish]; Julio Borges et al. regarding Venezuela (MC 403-17). Resolution 24/2017 of July 28, 2017 [only in Spanish]; Henrique Capriles Radonski (MC 248-17). Resolution 15/17 of June 2, 2017 [only in Spanish]; Williams Dávila regarding Venezuela (MC 533-17). Resolution 35/2017 of September 6, 2017 [only in Spanish]; Juan Carlos Requesens Martínez regarding Venezuela (MC 1039-18). Resolution 79/2018 of October 11, 2018 [only in Spanish]; Juan Gerardo Guaidó Márquez regarding Venezuela (MC 70-19). Resolution 1/2019 of January 25, 2019 [only in Spanish]; Roberto Marrero and Sergio Vergara regarding Venezuela (Extensión MC 70-19). Resolution 16/2019 of March 27, 2019 [only in Spanish].

27. In analyzing the requirement of *seriousness*, the Commission considers it relevant to take into account the identified context, as well as the work and position of the proposed beneficiary. According to the available information, Ms. Mary Yuli González Pérez has been reporting public servants and other incidents within the *parroquias* for some time. It is worth noting that, in 2019, and, in particular, since 2021, she has been acting as an alternate city council member (see *supra* paras. 4-5). In this sense, it was indicated that, as a consequence of the above, she has led protests and public events as an activist of an opposing party, which has placed her in the public arena of the town, in the midst of a polarized environment that has generated various risk events. In this regard, the Commission understands the seriousness of the situation presented in view of the following elements that have been happening against her:

- i. In 2019, following her participation in a public event, acts of violence took place at her home by so-called *colectivos* and she even faced the risk of having her house set on fire (see *supra* para. 6);
- ii. In September 2022, she received a call from an assistant to the head of government of Caracas, instructing her to stop her from filing complaints (see *supra* para. 7);
- iii. In April 2023, during one of her party's activities, she was attacked and threatened by members of *colectivos* including with the use of a firearm and in the presence of security forces that did not intervene (see *supra* para. 8-9);
- iv. On May 10, 2023, during an event, she was attacked from a surrounding crowd who even threatened to burn the church where she had to take refuge, and it was necessary for the police to remove her from the location (see *supra* para. 10-13); and,
- v. On May 12, 2023, she was identified in a bakery by a person she had seen at previous events, who pointed to her threateningly (see *supra* para. 15).

28. The Commission understands that the facts alleged, and understood as a whole, make it possible to identify that, although the risk events began in 2019, they have been intensifying in the recent period of 2023, and they seek to prevent her social and political work as a member of the opposition in the midst of the pre-election context (see *supra* para. 8). The Commission also warns, based on the available information, that while most of the facts have been attributed to individuals, the latter's collaboration with public officials has been noted, as well as officials' alleged order to attack her (see *supra* para. 6). All of this is in addition to the presence of security agents while the acts of violence occur, which makes it possible to note the authorities' acquiescence in the risk events being carried out against the beneficiary.

29. After requesting information from the State pursuant to Article 25 of the Rules of Procedure on June 12, 2023, the Commission regrets the lack of response. Although the foregoing is not sufficient *per se* to justify granting a precautionary measure, the lack of response from the State prevents the Commission from knowing about the measures that are purportedly being implemented to address the situation that places the proposed beneficiary at risk and to dispute the facts alleged by the applicants. Therefore, the Commission does not have sufficient information to assess whether the alleged risk has been mitigated.

30. Based on the information in the request, the Commission observes that State agents present during the events have had direct knowledge of the alleged situation, which has been reported to the Ombudsperson's Office and, in turn, attempts have been made to report it to the Public Ministry. Regarding the latter, the Commission notes with concern that the submission of a complaint regarding the events of May 10, 2023, was allegedly rejected on three occasions by the Public Ministry, in different headquarters, a matter that ended up being brought to the attention of OHCHR-Venezuela. Consequently, the Commission observes that the State, despite having knowledge of the alleged situation, has not implemented any protection measure in favor of the proposed beneficiary. This is especially relevant considering that, according to the applicants, the acts of harassment and threats against Ms. Mary Yuli are allegedly taking place with the acquiescence of State agents, among whom are those responsible for her protection. Notwithstanding the above, the Commission highlights the actions of the PNB in the events of May 10, 2023, which allowed Ms. Mary Yuli to be evacuated from a high-risk situation.

31. Due to the foregoing, the Commission considers, from the *prima facie* standard, and in Venezuela's current context, that the proposed beneficiary's rights to life and personal integrity are at serious risk.

32. Regarding the requirement of *urgency*, the Commission considers that it has been met given that Ms. Mary Yuli is reportedly exposed to the imminent materialization of a possible impact on her life and integrity, since the threats and harassment have intensified over time. The Commission takes into account that the presented facts allegedly occur with the acquiescence of State agents, which would put the proposed beneficiary in an especially vulnerable situation. On the other hand, the Commission does not have sufficient information from the State to assess the actions purportedly being taken to address the risk facing Ms. Mary Yuli; on the contrary, it is noted that the impossibility of submitting formal complaints to the Public Ministry reportedly hinders investigations that could help to prevent the reoccurrence of events.

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, by its very nature, the maximum situation of irreparable harm.

V. BENEFICIARIES

34. The Commission declares that the beneficiary of this precautionary measure is Ms. Mary Yuli González Pérez.

VI. DECISION

35. The Inter-American Commission on Human Rights concludes that this matter meets *prima facie* the requirements of seriousness, urgency, and irreparable harm contained in Article 25 of its Rules of Procedure. Accordingly, the IACHR requests that Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of Mary Yuli González Pérez;
- b) adopt the necessary protection measures so that Ms. Mary Yuli González Pérez can continue to carry out her social and political activities, particularly in exercise of her duties as alternate Council Member to the Capital District City Council, without being subject to threats, intimidation, harassment or acts of violence;
- c) consult and agree upon the measures to be implemented with the beneficiary and her representatives; and
- d) report on the actions taken to investigate the alleged facts that gave rise to the adoption of this resolution, so as to prevent such events from reoccurring.

36. The Commission requests that the State of Venezuela inform, within a period of 15 days from the date of this resolution, on the adoption of the requested precautionary measures and to update such information periodically.

37. 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 prejudgment of any violation of the rights protected in the applicable instruments.

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

39. Approved on June 24, 2023, by Margarete May Macaulay, President; Esmeralda Arosemena de Troitiño, First Vice-President; Julissa Mantilla Falcón; and Carlos Bernal Pulido, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary