
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 68/2025**

Precautionary Measure No. 330-24
Reinaldo Picado Miranda regarding Costa Rica
September 29, 2025
Original: Spanish

I. SUMMARY

1. The Inter-American Commission on Human Rights (IACHR) decides to lift these precautionary measures in favor of Reinaldo Picado Miranda in Costa Rica. At the time of making the decision, the Commission assessed the actions taken by the State to comply with these precautionary measures, which include a change in the beneficiary's legal and material situation. Consequently, upon analyzing the information available to the parties and not identifying compliance with the requirements set forth in Article 25 of its Rules of Procedure, the IACHR has decided to lift these measures.

II. BACKGROUND INFORMATION

2. On November 25, 2024, the IACHR granted precautionary measures in favor of Reinaldo Picado Miranda, in Costa Rica. The request alleged that the beneficiary was at risk of torture if he returned to Nicaragua, following a decision by Costa Rica to extradite him on charges of various crimes. At the time the measures were granted, after several rejections, his request for asylum was before the Administrative Immigration Court (*Tribunal Administrativo Migratorio, TAM*). Consequently, based on Article 25 of its Rules of Procedure and with the aim of assisting the State in fulfilling its obligations, the Commission requested that the State adopt the necessary measures to guarantee Picado Miranda's rights to life and personal integrity. In particular, Costa Rica is requested to refrain from deporting, expelling, or extraditing the beneficiary to Nicaragua until the competent administrative and/or judicial authorities in Costa Rica have duly assessed, in accordance with applicable international standards and the principle of *non-refoulement*, the alleged risk the individual would face if deprived of his liberty in the current context in Nicaragua.¹

3. Medardo Mairena of the "Movimiento Campesino" exerts representation before the Commission.

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

A. Procedure during the time the measures were in force

4. During the time the precautionary measures were in force, the Commission followed up on the situation by requesting information from the parties. In this regard, communications were received from the parties and sent from the IACHR on the following dates:

Year	State	Representation	IACHR
2024	December 11	No information	December 16
2025	April 28; May 23, 26 and 28; June 24; and July 3	January 27 and August 9	March 11, May 29, July 30, and August 27

¹ IACHR, [Resolution No. 90/2024](#), Precautionary Measures No. 330-24, Reinaldo Picado Miranda regarding Costa Rica, November 25, 2024.

5. In its reports submitted on May 23 and June 24, 2025, the State requested that these measures be lifted. These communications have been duly forwarded to the representation for their observations. The representation has not responded to requests for information, nor has it provided additional information following its communication of January 27, 2025.

6. On August 8, 2025, the representation requested an extension; indicated that it was unable to access certain annexes that had been sent; and requested that the recommendations issued by the IACHR be kept in force. On August 27, 2025, the IACHR granted an additional extension; it noted that all annexes had been duly forwarded; and it resubmitted the information. The deadlines have since expired.

B. Response from the State

7. On December 11, 2024, the State stated that on November 26, 2024, the day that the decision issued by the IACHR was notified, it was internally communicated to the following authorities and institutions: Minister of Public Security, Vice President of the Interior, President of the Administrative Immigration Court, President of the Supreme Court of Justice, President of the Constitutional Chamber, and the Office of International Affairs of the Public Prosecutor's Office. The following day, a statement entitled "IACHR grants precautionary measures in favor of Reinaldo Picado Mirada" was published on the Foreign Ministry's website, with the aim of contributing to the exposure of its content.

8. The State was informed that, on November 27, 2024, the Office of the President of the Supreme Court of Justice notified the Criminal Appellate Division (*Sala de Casación Penal*), the Constitutional Chamber (*Sala Constitucional*), the authority in charge of criminal matters and the trial judge of the Criminal Court of Puntarenas, Quepos headquarters, of the IACHR's decision. On December 5, 2024, a coordination meeting was held with representatives of the Office of the President of the Supreme Court, the Constitutional Chamber, the Third Chamber of the Supreme Court, the Criminal Court of Quepos, the Office of International Affairs of the Public Prosecutor's Office, and the Administrative Immigration Court, during which the scope of the precautionary measure was determined and efforts were made to ensure its correct understanding. The State specified that, as the decision of the Administrative Immigration Court was pending appeal, the extradition was suspended, in accordance with the applicable legal and jurisprudential regime. The President of the Constitutional Chamber reported that they are not aware of any procedure or process related to these measures, and precedents of the Chamber in the matter were highlighted.

9. On April 28, 2025, it was reported that on November 29, 2024, the Criminal Court of Puntarenas, Quepos headquarters, was informed that "the Restricted Visas and Refugee Commission denied Picado Miranda's request, and that the current status of the request is awaiting a decision by the Administrative Immigration Court." The aforementioned Court issued a judgment on December 5, 2024, ordering:

To suspend the execution of the judgment ordering the extradition of Reinaldo Picado Miranda (No. 111-2023) until the appeal filed by Picado Miranda before the Administrative Immigration Court is resolved in the administrative process, so as to safeguard his fundamental rights and to comply with the precautionary measures issued by the Inter-American Commission on Human Rights.

10. The State reported on the proceedings before the Administrative Immigration Court, updating that, following internal procedures, on April 24, 2025, it was determined "that the corresponding process for the resolution of the appeal filed by Mr. Reynaldo Picado Miranda should continue." In addition, regarding a plea by the defense requesting the release of the beneficiary, the State outlined the legal grounds for the deprivation of liberty in the context of extradition requests and noted that "the applicants' new arguments have an internal procedure for review," and specified the availability of *habeas corpus* to examine the legality of the detention.

11. On May 23, 2025, the State updated that, by means of Resolution No. 0405-2025-TAM of May 22, 2025, the Administrative Immigration Court decided to recognize Reinaldo Picado Miranda as a refugee. It

was stated that he enjoys the protection of the principle of non-refoulement and, consequently, “cannot be extradited under any circumstances related to the events that led to the granting of asylum.” The State required “due care and confidentiality” of the documentation corresponding to Resolution No. 0405-2025 “given the confidential and very personal nature of the procedure.” The State requested to lift the precautionary measures in his favor. In this regard, the aforementioned resolution ruled:

1) GRANT the appeal filed on behalf of the foreign national REINALDO PICCADO MIRANDA. 2) REVOKE Resolution No. 135-1119331-ADMINISTRATIVE, dated 13:25 hours on February 23, 2024, issued by the Commission on Restricted Visas and Refuge. 3) RECOGNIZE THE STATUS OF REFUGEE for the foreign national REINALDO PICADO MIRANDA.

12. On May 23, 2025, the beneficiary was released. On May 28, 2025, the State indicated that it had received communication from groups in Nicaragua that expressed their positive views towards granting refugee status to the beneficiary. The State submitted additional reports on June 24 and July 3, 2025, confirming that an appointment had been scheduled for June 25, 2025, at the General Directorate of Immigration, where the beneficiary was granted his Immigration Identity Document for Foreigners which certified him “as a refugee in Costa Rica.”

C. Information provided by the representation

13. In its communication of January 27, 2025, the representation acknowledged the actions of the State and pronounced itself on the importance of the representation participating in coordination spaces. The representation requested the release of the beneficiary and recalled that he was deprived of liberty at the Gerardo Rodríguez Echeverría Institutional Care Center, in Costa Rica.

14. The representation added that, on December 4, 2024, they submitted evidence to the Administrative Immigration Court related to the “torture of Douglas Gamalliel, who was extradited on February 15, 2024.” On that occasion, they sent the testimony of a “former political prisoner and exile, Fanor Alejandro Ramos to Guatemala on September 5, 2024.” In this regard, the representation stated that if the beneficiary does not receive international protection, he would be subject to torture or forced disappearance as part of a practice institutionalized by the Nicaraguan government. Lastly, the representation requested a prompt decision on his request for asylum.

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

15. 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.

16. 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.² Regarding the protective nature, these measures seek

² 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.

to avoid irreparable harm and to protect the exercise of human rights.³ 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.⁴ 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.

17. 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.

18. 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.⁵ In this sense, when no imminent risk is identified, the burden of proof and argument increases over time.⁶ 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

19. In this matter, the precautionary measures were granted on November 25, 2024 in favor of Reinaldo Picado Miranda. On that occasion, it was decided that Costa Rica be requested to refrain from deporting, expelling, or extraditing the beneficiary to Nicaragua until the competent administrative and/or judicial authorities in Costa Rica have duly assessed, in accordance with applicable international standards and

³ 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).

⁴ 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).

⁵ I/A Court H.R., Case of Fernández Ortega et al., Provisional Measures regarding Mexico, Order of February 7, 2017, considerandums 16 and 17 (Available only in Spanish).

⁶ I/A Court H.R., Case of Fernández Ortega et al., previously cited, considerandums 16 and 17.

⁷ I/A Court H.R., Case of Fernández Ortega et al., previously cited, considerandums 16 and 17.

the principle of *non-refoulement*, the alleged risk the individual would face if deprived of his liberty in the current context in Nicaragua.⁸

20. The Commission observes that the representation has not responded or provided updated information on the beneficiary's situation since January 27, 2025. Despite the requests for information submitted by the IACHR, by communications of March 11, May 29, July 30, and August 27, 2025, to date, there are no observations or updates. Considering the State's request to lift, the IACHR proceeds to analyze the compliance with the procedural requirements.

21. Based on the information provided in the case file, the Commission notes the following:

- a. *Refraining from deporting, expelling, or extraditing the beneficiary until the State has assessed the alleged situation that places him at risk.* The Commission acknowledges swift action from the State. It is noted that the decision regarding the precautionary measures was communicated to the competent authorities on the day it was issued and was published the following day on the Ministry of Foreign Affairs' website. In addition, the Office of the President of the Supreme Court of Justice circulated the judgment throughout the judicial system. On December 5, 2024, a meeting was held to seek dialogue between authorities. That same day, the Criminal Court of Puntarenas, Quepas headquarters, decided to suspend the execution of the judgment ordering the beneficiary's extradition. Consequently, the IACHR assesses the actions taken by the State with a view to guaranteeing the effectiveness of the precautionary measures.
- b. *In accordance with applicable international standards and the principle of non-refoulement, assessment of the alleged risk he would face if deprived of his liberty in Nicaragua under the country's current context.* Resolution No. 0405-2025-TAM, of May 22, 2025, through which the Administrative Immigration Court decided to grant him the status of a refugee, is especially highlighted. Subsequently, the State clarified that the beneficiary "cannot be extradited under any circumstances related to the events that led to the granting of asylum."
- c. *Implementation of the decision of the Administrative Immigration Court.* According to the information provided by the State, the beneficiary was released on May 23, 2025, the day after the Court issued its decision. Subsequently, on June 25, 2025, his Immigration Identity Document for Foreigners was delivered to him. Therefore, the Commission identifies that the beneficiary is reportedly currently not detained.

22. In light of the State's decision to grant refugee status to the beneficiary, and considering the previous assessments, the Commission understands that it currently lacks the elements necessary to find that the requirements of Article 25 of its Rules of Procedure are met. Therefore, taking into account the exceptional and temporary nature of precautionary measures,⁹ the Commission deems it appropriate to lift these precautionary measures.

V. DECISION

23. The Commission decides to lift the precautionary measures granted in favor of Reinaldo Picado Miranda, in Costa Rica.

⁸ IACHR, [Resolution No. 90/2024](#), previously cited.

⁹ I/A Court H.R., [Matter of Adrián Meléndez Quijano et al.](#), Provisional Measures regarding El Salvador, Order of August 21, 2013, para. 22; [Matter of Galdámez Álvarez et al.](#), Provisional Measures regarding Honduras, Order of November 23, 2016, para. 24 (Available only in Spanish).

24. The Commission recalls that the lifting of these measures does not prevent the representation from filing a new request for precautionary measures, should they consider that there exists a situation presenting a risk that meets the requirements set forth in Article 25 of its Rules of Procedure.

25. The Commission instructs its Executive Secretariat to notify this Resolution to the State of Costa Rica and the representatives.

26. Approved on September 29, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-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