

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 59/2025**

Precautionary Measure No. 680-25

Sofía María Sahagún Ortiz regarding Venezuela

August 18, 2025

Original: Spanish

I. INTRODUCTION

1. On May 22, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures filed by Foro Penal (“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 Sofía María Sahagún Ortiz (“the proposed beneficiary”). According to the request, she has Venezuelan and Spanish nationality. She was reportedly detained by state authorities at the Caracas airport in October 2024, and her whereabouts were unknown during the first months of her detention. It was alleged that she was accused of terrorism; that she had been held incommunicado since December 2024; and that her possibilities to have an effective defense were restricted.

2. Pursuant to Article 25(5) of its Rules of Procedure, the Commission requested additional information from the applicants on June 3, 2025, and received a response on June 6, 2025. Subsequently, the Commission requested information from the parties on July 25, 2025. The requesting party submitted a response on July 31, 2025. The State did not respond, and the granted timeline has expired.

3. Upon analyzing the submissions of fact and law furnished by the requesting party, the Commission considers that the proposed beneficiary is in a serious and urgent situation, given that her rights to life and personal integrity face a risk of irreparable harm. Therefore, pursuant to Article 25 of its Rules of Procedure, the Commission requests that Venezuela: a) adopt the necessary measures to protect the rights to life and personal integrity of Sofía María Sahagún Ortiz; b) implement sufficient measures to ensure that the beneficiary’s detention conditions are compatible with applicable international standards. In particular, guarantee regular contact with her family, trusted legal representatives, and consular authorities of the country of which she is also a national; grant full access to her criminal file, if any; and report on her legal situation, including the reason why she has not been released pending trial; c) consult and agree upon the measures to be adopted with the beneficiary and her representatives; and d) report on the actions taken to investigate the alleged events that gave rise 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. According to the request, the proposed beneficiary is of Venezuelan and Spanish nationality. She was at the Caracas airport on October 23, 2024, to travel to Spain. However, she was unable to board the plane because she was reportedly detained by state authorities. It was alleged that the grounds for her detention were not reported. Her family presumes that the act could be related to the kinship she has with a relative of the same name, who allegedly suffered persecution for her alleged association with the opposition leader María Corina Machado, so she is currently outside the country.

5. The request indicated that the family members and representatives of the proposed beneficiary made efforts to locate her. On October 30 and 31, 2024, an attempt was made to file a missing persons report with the Ombudsperson’s Office and the Scientific, Penal, and Criminal Investigations Corps,

which was not received. On December 18, 2024, they requested an investigation before the Public Ministry and the Prosecutor's Offices, who allegedly refused to provide information on the proposed beneficiary. On December 11, 2024, information was requested in Courts with jurisdiction in terrorism crimes (Courts 13, 49, 30 and 52), and, on December 12, 2024, their representatives also consulted the Scientific, Penal, and Criminal Investigations Corps. The request alerts that these entities denied having information about it.

6. On December 19, 2024, the proposed beneficiary reportedly made two phone calls to her relatives, informing them that she was being held at the headquarters of the Bolivarian National Police in El Valle and requesting that they bring her clothes, food and toiletries and personal hygiene. On December 20, 2024, her private lawyers attended the said police force and delivered the requested objects; however, they were reportedly not allowed to see the proposed beneficiary. Two days later, the lawyers went to the place again and were informed by officers that she was no longer there, without specifying where she was transferred.

7. The request indicated that, by virtue of the search and defense actions that the family members and representatives of the proposed beneficiary have carried out since her incommunicado detention, the following information was obtained:

- a. The proposed beneficiary has been held at the Center for Prosecuted and Sentenced Persons in the Metropolitan Area of Caracas I (formerly called the Headquarters of the Bolivarian Intelligence Service of El Helicoide) since December 20, 2024. This was reported by the deputy director of those premises, in a meeting that he held with the requesting party on February 2, 2025.
- b. On February 27, 2025, the preliminary hearing was held against the proposed beneficiary, as warned by the Second Terrorism Court of Caracas to the applicant by means of an official letter dated March 17, 2025. In that communication, the Court also stated that the file was in the process of being certified for eventual distribution to the Court of Trial. The request indicated that the crime she has been charged with in a generic way is that of "terrorism"; however, the authorities have not made explicit the facts attributed to her.

8. The applicants mentioned having carried out additional actions and filed more briefs and appeals so far in 2025, including:

- a. Between January and June 2025, meetings have been held with the staff of the Ombudsperson's Office, in which information was provided on the proposed beneficiary's place of detention, the steps that have been taken in her case, and the visit that the Ombudsperson's Office allegedly made to her in April. It was reported that the last meeting of the relatives with the Ombudsperson's Office was on June 5, 2025.
- b. On February 3, 2025, a request for information was filed with the Second Terrorism Court of Caracas, and subsequently an attempt was made to appoint private lawyers on February 19 and March 11 of the same year. The Court reportedly refused to receive the designation on several occasions; therefore, the applicant filed a constitutional appeal on March 12, 2025, which was rejected on March 18. This decision was appealed, and the amparo was reviewed in the Constitutional Chamber on April 30 and May 14, 2025.
- c. On March 12, 2025, the alleged incommunicado status of the proposed beneficiary was reported to the Ombudsperson's Office.

- d. On April 9 and May 14, 2025, she went to the Ministry of Women to denounce the facts; and to the National Women's Institute on April 20, 25 and 28, and on May 14, 2025, where meetings were held with the National Women's Defender with the same objective.
- e. On May 16, 2025, a request for absolute nullity of the criminal proceedings was filed, which to date remains unanswered.
- f. On May 30, 2025, a complaint was filed with the Office of the Attorney General and the Ombudsperson's Office for the alleged illegal seizure of the proposed beneficiary's residence.

9. According to the request, on May 29, 2025, officers of the Consulate of Spain and the representation of the proposed beneficiary made a visit to her home, finding that people allegedly attached to the Vice Presidency of the Republic are allegedly carrying out masonry work. In its complaint, the requesting party claimed to ignore a conviction that justifies a housing seizure measure, so it requested information on the existence of such a sentence or precautionary measures on the proposed beneficiary's assets. On July 28, 2025, Prosecutor's Office 52 responded to the requesting party that the delivery of personal objects (ashes of deceased family members) that were in the house would be authorized.

10. The request alleged that, to date, there is no evidence that the legal remedies promoted had been effectively resolved. There is no access to the file of the proposed beneficiary. The appointment of her private attorneys is still not accepted. A public defender was appointed and it would not be possible to know if she is taking the necessary steps to protect the proposed beneficiary. It is noted that her process continues to be pending distribution to a Trial Court. It was also indicated that the Spanish consular authorities have not been notified of the criminal proceedings against the proposed beneficiary, so she has not had access to consular protection to which she is entitled as a Spanish national.

11. The requesting party added that there would be no information on the proposed beneficiary's conditions of confinement, nor if she was suffering acts of torture. This is in view of the fact that she has not been contacted since December 2024.

B. Response from the State

12. The IACHR requested information from the State on July 25, 2025. However, despite the expiration of the given deadline, the State has not responded to the Commission to date.

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

13. 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.

14. The Inter-American Commission and the Inter-American Court of Human Rights (hereinafter "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

Inter-American ¹ 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.

measures seek to avoid irreparable harm and to protect the exercise of human rights.² To do this, the IACHR shall assess the problem raised, the effectiveness of State actions to address the situation, and how vulnerable the proposed beneficiaries would be left in case the measures are not adopted.³ As for their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits, and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to 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.

15. 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 in its purview to determine any individual liabilities for the facts alleged. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.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 carried out without making any determination on the merits.⁷

² I/A² 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)

³ 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).

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

16. As regards the context, the Commission has been monitoring the rule of law and human rights situation in Venezuela since 2005,⁸ and has included the country in Chapter IV.B of its Annual Report. The Commission has also issued press releases and country reports, and established a special follow-up mechanism for the country, known as MESEVE.

17. In 2024, the Commission condemned the practices of institutional violence in the context of the electoral process in Venezuela, such as violent repression, arbitrary detentions, and political persecution.⁹ The strategy of detention and criminalization appears to be specifically targeted at individuals perceived as opponents of the regime, including journalists, opposition leaders, human rights defenders, and others.¹⁰ 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,¹¹ while using “terror as a tool of social control.”¹²

18. On January 9, 2025, the Commission learned of arbitrary detentions carried out days before the peaceful protests called by the opposition. These acts represent a new wave of the repressive pattern.¹³ Furthermore, it urged the State of Venezuela to immediately cease the persecution of opponents, human rights defenders, and journalists, and to promptly release all individuals detained for political reasons.¹⁴ Similarly, on 11 April 2025, the Commission condemned the arbitrary detentions and prolonged periods of incommunicado detention to which political prisoners in Venezuela have been subjected, noting that political prisoners face countless violations of their judicial guarantees, such as unclear charges under ambiguous criminal offences, the imposition of public defenders, untimely presentation before courts in terrorism cases, and denial of access to case files or to a trusted defence counsel.¹⁵ In this sense, the Commission affirmed that it must release all persons who are in prison for political reasons, while guaranteeing respect for and protection of their life and personal integrity.¹⁶

19. Therefore, 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.

20. As for the requirement of *seriousness*, the Commission considers that it has been met. When analyzing the situation of the proposed beneficiary and her detention, the Commission identifies that it has been alleged that the state authorities detained her because of the surnames she shares with relatives allegedly allied to the opposition, in a context of persecution against this sector in Venezuela. In this context, the Commission observes with concern the following:

- a. It was alleged that the detention of the proposed beneficiary on October 23, 2024, occurred without having informed the cause or the place of destination, and without alerting the relatives when she was at an airport with a view to leaving the country;

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. 1.

⁹ IACHR, Press Release No. 184/24, [IACHR and SRFoE condemn State terrorism practices in Venezuela](#), August 15, 2024.

¹⁰ IACHR, Press Release No. 184/24, previously cited.

¹¹ IACHR, [Venezuela: Serious Human Rights Violations in Connection with the Elections](#), OEA/Ser.L/V/II Doc. 253/24, December 27, 2024, para. 3.

¹² IACHR, Venezuela: Serious Human Rights Violations in the Electoral Context, previously cited, para. 5.

¹³ IACHR, Press Release No. 9/25, [IACHR Condemns the Persistent State Terrorism Practices in Venezuela and Recalls that María Corina Machado is a Beneficiary of Precautionary Measures](#), January 9, 2025.

¹⁴ IACHR, Press Release No. 9/25, previously cited.

¹⁵ IACHR, Press Release No. 72/25, [IACHR: Venezuela Must End the Incommunication of Political Prisoners and Release Them Immediately](#), April 11, 2025.

¹⁶ IACHR, Press Release No. 72/25, previously cited.

- b. Her relatives and legal representation were not aware of her whereabouts and legal situation until two months later, on December 19, 2024, which the request described as a disappearance. After a few days, the proposed beneficiary was reportedly transferred again without notification to her relatives, who did not know her location until, at the beginning of February 2025, the Helicoide management confirmed that she was in custody at that center. Thus, the Commission notes that her whereabouts have purportedly remained unknown for about four months;
- c. The last and only direct communication that her relatives had with the proposed beneficiary was on December 19, 2024, via telephone call. In other words, the Commission understands that the applicants have not been able to visit the proposed beneficiary since she was detained, and she is said to have been held incommunicado from her family and lawyers for approximately eight months;
- d. Due to the lack of direct communication with the proposed beneficiary, there would be no certainty about her detention conditions and whether the treatment received would comply with international human rights standards. The situation, in the current context of Venezuela described in the preceding paragraphs, leads the Commission to believe that the proposed beneficiary is in a vulnerable situation with regard to the risks she may be facing while in State custody. In this regard, the Commission recalls that the Inter-American Court has remarked in other matters that “detention without communication not only makes it impossible to verify the current situation of the proposed beneficiaries, their conditions of detention, and their health status, but it also implies a curtailment of the procedural guarantees of all detainees.”¹⁷
- e. Despite the efforts of her relatives and her trusted lawyers, it was not possible to obtain additional information about her detention situation, since the state authorities are reportedly maintaining the situation of incommunicado detention, which is reflected in the initial refusal of different administrative and judicial bodies of the State to inform where she was detained; and the refusal to accept the appointment of her private lawyers that would continue to date, despite the appeals filed. The absence of a ruling on the request for absolute nullity of the criminal proceedings, filed in May 2025, is also highlighted. In addition, it is noted that the proposed beneficiary’s private lawyers have not had access to her file, so her legal situation is not known, in particular whether there was already a conviction against the proposed beneficiary or if she was still awaiting trial, despite the request for information filed in this regard at the end of May 2025;
- f. Insofar as her trusted attorneys have not been able to establish themselves as her formal defense counsel, it was alleged that there is no certainty as to whether the appeals filed would be under consideration by the authorities or access to her file;
- g. It is not known if the proposed beneficiary, as she is also a national of Spain, has been able to communicate with the consular authorities of that country, beyond the visit to her home reported in the file.

21. In light of the foregoing assessments, the Commission considers that the proposed beneficiary is at serious risk, as she remains deprived of her liberty under the circumstances described. The Commission is concerned that, initially, her whereabouts have not been known, and that after knowing where she is being detained, she has no possibility of having contact with her relatives or defense of confidence, despite the

¹⁷ I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, Provisional Measures, Order of June 24, 2021, paragraph 36.

respective domestic remedies activated, in a context of persecution of the opposition in the country. These circumstances, along with the absence of official information on her legal status and detention conditions, place her in a situation of particular vulnerability in the face of possible acts that violate her rights.

22. Upon requesting information from the State, the Commission regrets its lack of response. Although the foregoing is not enough per se to justify the granting of a precautionary measure, it does prevent the Commission from being aware of the observations or measures taken by the State to address the alleged situation of risk that the proposed beneficiary faces, particularly with regard to her alleged lack of communication and defense. Therefore, the Commission does not have elements that would allow it to dispute the facts reported by the applicants, nor to assess whether the risk has been addressed or mitigated.

23. In light of the foregoing considerations, the Commission concludes that, based on its *prima facie* analysis, the right to life and personal integrity of the proposed beneficiary face a serious risk, as her current detention conditions are unknown and she has been in prolonged incommunicado detention since December 2024. This risk is aggravated by the impossibility of proving her own technical defense, which limits the possibilities of verifying her situation and adopting measures for her immediate protection. In this sense, there is no information on whether Spanish authorities have been able to visit her and learn about her current situation.

24. With regard to the requirement of *urgency*, the Commission deems that it has been met given that, should the proposed beneficiary continue to face the situation described, she is likely to be exposed to a greater impact on her rights. Thus, the Commission notes that, given her status as a person deprived of liberty, the lack of communication with her family and trusted lawyers, the absence of accurate information about her legal situation, as well as the alleged situation of prolonged defenselessness, there is a possibility that the risk could materialize at any time. Additionally, the Commission does not have received any response from the State regarding the actions that may be taken to address or mitigate the risk faced by the proposed beneficiary. Therefore, it is necessary to immediately adopt measures to safeguard her rights to life and personal integrity.

25. Regarding the requirement of *irreparable harm*, the Commission finds it met, given that the potential impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

IV. BENEFICIARY

26. The Commission declares Sofía María Sahagún Ortiz, who is duly identified in these proceedings in accordance with Article 25(6)(b) of the IACHR Rules of Procedure, to be the beneficiary of the precautionary measures.

IV. DECISION

27. The Commission considers that this matter meets, *prima facie*, the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, the Commission requests that Venezuela:

- a) adopt the necessary measures to protect the rights to life and personal integrity of Sofía María Sahagún Ortiz;
- b) implement sufficient measures to ensure that the beneficiary's detention conditions are compatible with applicable international standards. In particular, guarantee regular contact with her family, trusted legal representatives, and consular authorities of the country of which

she is also a national; grant full access to her criminal file, if any; and report on her legal situation, including the reason why she has not been released pending trial;

- c) consult and agree upon the measures to be adopted with the beneficiary and her representatives; and
- d) report on the actions taken to investigate the alleged events that gave rise to this resolution, so as to prevent such events from reoccurring.

28. The Commission requests that Venezuela kindly inform the Commission, within a period of 20 days from the date of this communication, on the adoption of the precautionary measures agreed upon and to periodically update this information.

29. The Commission stresses that, pursuant to Article 25(8) of the Commission's 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.

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

31. Approved on August 18, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Arif Bulkan, Second Vice-President; Edgar Stuardo Ralón Orellana; Roberta Clarke; Carlos Bernal Pulido; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary