

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUCIÓN 3/2026**

Precautionary Measure No. 1846-25
Huascar González Rodríguez regarding Nicaragua
January 10, 2026
Original: Spanish

I. INTRODUCTION

1. On December 7, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures presented by Francisco Danilo González Rodríguez (“the requesting party” or “the applicant”), urging the Commission to require that the State of Nicaragua (“the State” or “Nicaragua”) adopt the necessary measures to protect the rights to life and personal integrity of Huascar González Rodríguez (“the proposed beneficiary”). According to the request, the proposed beneficiary was detained on October 7, 2025, after a police operation at his residence. Three months after his detention, his family members have no information about his whereabouts in Nicaragua.

2. Pursuant to Article 25(5) of its Rules of Procedure, the IACHR requested information from the State on December 10, 2025. To date, the State has not replied to the Commission and the granted deadline has expired. For his part, the applicant submitted a new communication on December 10, 2025.

3. Upon analyzing the submissions of fact and law furnished by the applicant, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary is in a serious and urgent situation, given that his rights to life and personal integrity are at risk of irreparable harm. Therefore, it requires that Nicaragua: a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity; b) detail whether the beneficiary is in the custody of the State, the circumstances, and his detention conditions. In particular, disclose the place of his detention, and allow access to his legal representatives and family; and c) report on the actions taken to investigate the alleged facts that led 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 requesting party

4. According to the requesting party, the proposed beneficiary, lawyer and notary, is reportedly in arbitrary detention and his whereabouts are unknown. On October 7, 2025, in the city of Jinotepe, a police operation allegedly arrived at the proposed beneficiary's house with the aim of detaining him, without a warrant. However, at that time, he was not in the house. Police officers then detained the proposed beneficiary's wife and gardener, putting pressure on him to turn himself in. Faced with this situation, the proposed beneficiary voluntarily surrendered so that his wife would be released and to understand the reasons for the police action. From that day on, nothing more was heard from him, and no official information was available.

5. According to the requesting party, his relatives do not know what he was accused of or the reason for his detention, preventing him from exercising his right to defense. The applicant indicated that the proposed beneficiary does not have any type of political link, or legal background, nor is he related to illicit activities. He is a hardworking citizen, respectful of the law and dedicated to his profession. The request characterized the situation as a “forced disappearance.”

6. The family of the proposed beneficiary reportedly visited all the police stations in Managua, where the answer would always be: “We are not authorized to give information.” There is also no record of the detention, and they are reportedly not allowed to communicate with the proposed beneficiary. From the moment of his detention, his family has purportedly not been able to see him, they would not receive any official information about his situation and they would be completely unaware of his physical and mental health and the place where he may be held. None of his relatives would dare to report his alleged disappearance due to the intense fear of possible reprisals.

B. Response from the State

7. The IACHR requested information from the State on December 10, 2025. To date, the State has not responded to the Commission's request.

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

8. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 41(b) of the American Convention on Human Rights, also included in Article 18(b) of the Statute of the IACHR. The precautionary measures mechanism is described in Article 25 of the Rules of Procedure of the Commission. 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 people.

9. 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 precautionary¹. Regarding the protective nature, these measures seek to avoid irreparable harm and 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 described, and how vulnerable the persons proposed as beneficiaries would be left in case the measures are not adopted.³ Regarding 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:

¹ I/A Court H.R., 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 regarding Guatemala, Order of July 6, 2009, considerandum 16.

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

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 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 (Available only in Spanish).

- 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.

10. 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 the Rules of Procedure, which can be carried out without making any determination on the merits.⁷

11. Regarding the requirement of *seriousness*, the Commission finds it to be met, as the applicant states that the proposed beneficiary's whereabouts have been unknown since state agents arrested him on October 7, 2025. The Commission observes that, according to the applicant, a police operation was carried out that day at his residence in Jinotepe, in order to detain Mr. González Rodríguez without a warrant. However, at that time, the proposed beneficiary was not at home. Therefore, the police officers allegedly proceeded to detain his wife and the gardener, as a form of pressure for the proposed beneficiary to turn himself in. Faced with this fact, the proposed beneficiary voluntarily surrendered to the state authorities so that his wife would be released and, in turn, to know the reasons for the operation carried out at his home. Since his arrest, the family members have not had any official information on the proposed beneficiary's whereabouts, nor have they had the possibility of knowing his location despite the search efforts undertaken.

12. For its part, the Commission has no evidence that the proposed beneficiary, after his detention, was brought before the competent Nicaraguan courts; nor is there any response regarding criminal or judicial proceedings against him. In this sense, the Commission understands that his family members are unable to activate the corresponding resources for his protection, added to the fear expressed in the face of possible reprisals. This includes the possibility of learning about his current status, place and conditions of detention, as well as his legal status. In addition, the Commission notes that, after his detention, his relatives went to different police stations in Managua to locate the place where he could be detained, and to obtain answers about his situation. However, despite the efforts, State authorities did not provide official data on the proposed beneficiary or his current whereabouts, noting that they would not be authorized to provide such information. Therefore, to date, it has not been possible to confirm his whereabouts or know about his current state.

13. Having requested information from the State under Article 25 of the Rules of Procedure, the Commission regrets the lack of response to the request. Although the foregoing is not sufficient *per se* to justify

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 (Available only in Spanish): 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 Measure No. 96/21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

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

the granting of a precautionary measure, the lack of response from the State prevents the Commission from knowing the adopted 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 information that would allow it to assess whether the situation that places the proposed beneficiary at risk has been mitigated, nor regarding the actions taken to determine his whereabouts or fate. The Commission also notes that the proposed beneficiary may be in the custody of the State, which should have details on his location and current situation.

14. The Commission highlights that the proposed beneficiary's family has not had communication with him and is unaware of his legal situation; including, for example: the existence of an investigation file against him; the status of the investigation, the reasons for his detention; the existence of an arrest warrant; whether the legal case has undergone judicial reviews; his place of detention; the detention conditions; or the possibility of contacting legal representation of his choice; among other matters. Given that contact with the proposed beneficiary has not been established, the situation that places him at risk is further aggravated by the inability to determine his whereabouts and verify his current condition. In this regard, the Commission recalls that the Inter-American Court has indicated, in the *Matter of Juan Sebastián Chamorro et al. v. Nicaragua*, that "detention without communication not only makes it impossible to verify the current state of the proposed beneficiaries, the conditions of their detention, and their health status, but it also implies a curtailment of the procedural guarantees of all detainees."⁸

15. In view of the foregoing considerations and in light of the *prima facie* standard, the Commission considers that the right to life and personal integrity of the proposed beneficiary are at serious risk insofar as, to date, there is no official information regarding his whereabouts or current situation.

16. Regarding the requirement of *urgency*, the Commission deems that it has been met, inasmuch as the passage of time without establishing his whereabouts is likely to generate greater impacts on the rights to life and personal integrity of the proposed beneficiary. 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, nor about any measures to determine his whereabouts.

17. 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

18. The Commission declares Huascar González Rodríguez, who is duly identified in this procedure, as beneficiary.

V. DECISION

19. The Inter-American 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, it requests that Nicaragua:

a) adopt the necessary measures to determine the situation and whereabouts of the beneficiary, in order to protect his rights to life and personal integrity;

⁸ I/A Court H.R., *Matter of Juan Sebastián Chamorro et al. regarding Nicaragua*, Provisional Measures, Order of the Inter-American Court of Human Rights of June 24, 2021, paragraph 36.

b) detail whether the beneficiary is in the custody of the State, the circumstances, and his detention conditions. In particular, disclose the place of his detention, and allow access to his legal representatives and family; and

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

20. The Commission requests that the State of Nicaragua report, within 15 days from the date of notification of this resolution, on the adoption of the precautionary measures requested and to update that information periodically.

21. 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 a prejudgment on any violation of the rights protected under the applicable instruments.

22. The Commission instructs its Executive Secretariat to notify this resolution to the State of Nicaragua and the requesting party.

23. Approved on January 10, 2026, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Edgar Stuardo Ralón Orellana, Second Vice-President; Gloria Monique de Mees; Riyad Insanally; and Marion Bethel, members of the IACHR.

María Claudia Pulido
Assistant Executive Secretary