Abstract
This article will analyze the preliminary exception "non-exhaustion of domestic remedies" as mechanism of State Defense invoked before the Inter-American Commission on Human Rights. It will demonstrate the failings or mistakes committed by the state agents’ argumentations of the exception, which has been superfluous and mistaken by delivering previously defined arguments by the Inter-American organ as unfounded because of their contradiction with the international standards of protection of the Human Rights in the regional system.

Keywords
Preliminary Exception, Non-Exhaustion of Domestic Remedies, Inter-American Commission of Human Rights, State.