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**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS**  
**RESOLUTION 5/2026**

Precautionary Measure No. 1709-25

Duannis Dabel León Taboada and Yenisey Taboada Ortíz  
regarding Cuba<sup>1</sup>

January 19, 2026  
Original: Spanish

**I. INTRODUCTION**

1. On November 13, 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 *Observatorio de Derechos Culturales* ("the applicants"), urging the Commission to require that the State of Cuba (the "State" or "Cuba") adopt the necessary measures to protect the rights of Duannis Dabel León Taboada ("the proposed beneficiary"). According to the request, the proposed beneficiary was deprived of his liberty on July 16, 2021, after participating in the protests that took place in Cuba in 2021. To date, he has allegedly been subjected to acts of violence, lack of medical care, and precarious detention conditions. In addition, State agents are allegedly threatening his mother.

2. The Commission requested additional information from the applicants on December 2, 2025, and received a response on December 10, 2025. Pursuant to Article 25(5) of the Rules of Procedure, the Commission requested information from the State on January 9, 2026. To date, the State has not responded, and the granted deadline has expired.

3. Upon analyzing the submissions of fact and law furnished by the applicants, the Commission recognizes that Duannis Dabel León Taboada and Yenisey Taboada Ortíz are in a serious and urgent situation, given that their rights to life, personal integrity, and health are at risk of irreparable harm. Therefore, based on Article 25 of its Rules of Procedure, the Commission requests that Cuba: a) take the necessary measures to protect the rights to life, personal integrity, and health of Duannis Dabel León Taboada and Yenisey Taboada Ortíz; b) implement the necessary measures to ensure that the conditions of detention of Duannis Dabel León Taboada are compatible with applicable international standards in this area; c) immediately conduct a comprehensive medical assessment of Duannis Dabel León Taboada's physical and mental health and guarantee timely and specialized medical care and treatment, informing the results to his family and representatives; d) ensure that Duannis Dabel León Taboada is not subjected to violence, threats, intimidation, or aggression within the prison; e) take the necessary measures, with a gender-based approach, to ensure that Yenisey Taboada Ortíz can carry out her activities as a human rights defender without being subjected to threats, harassment, intimidation, or other acts of violence in the exercise of her duties; f) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and g) report on the actions taken to investigate the alleged facts 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, Duannis Dabel León Taboada, 27 years old, participated in protests in Cuba over the lack of medicine, food, electricity, and other basic services on July 11, 2021. On July 16, 2021, he was detained by the police and taken to the detention center known as "100 y Aldabó," where he was held

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<sup>1</sup> In accordance with Article 17 (2) (a) of the IACHR Rules of Procedure, Commissioner Rosa María Payá Acevedo, of Cuban and American nationality, did not participate in the debate and deliberation of this matter.

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for three weeks without his family being informed of his whereabouts. His mother heard that he was being held there from a cellmate who had been released. Despite the foregoing, she noted, at that time, visits were not authorized because the proposed beneficiary had been beaten and the authorities were waiting for the signs of the assault to heal.

5. On May 27, 2022, the People's Supreme Court sentenced him to 14 years' imprisonment for the crime of sedition. He was subsequently transferred to the Combinado del Este prison, where he is still held to this day. According to allegations, the pattern of violence has intensified at this location. In May 2022, upon learning of his sentence, the proposed beneficiary went on a hunger strike and refused to drink any liquids for several days. As a result, he was reportedly taken to a punishment cell where he was held for approximately six months. Furthermore, in July 2022, he began shouting slogans denouncing alleged injustices, after which he was beaten by more than ten guards.

6. In October 2022, shortly after being liberated from the punishment cell, the proposed beneficiary allegedly attempted to protest peacefully by going out into the prison yard while wearing a white T-shirt with the word "freedom" on it. As a result, he was beaten and transferred back to the punishment cell. The request warned that a method of torture known as the wheelbarrow (*la carretilla*) had been used. This technique involves handcuffing the victim's hands behind their back, binding them to their feet, and then throwing the body down a flight of stairs while forced into this bent position. As a result, the proposed beneficiary dislocated his collarbone.

7. In April 2023, while the proposed beneficiary was visiting his mother and sisters, he was abruptly taken away by two officers. The officers also threatened his mother in relation to the public complaints she had made about the prison situation and the alleged injustices her son had experienced. The applicants reported that, during that same month, State Security agents reportedly took the proposed beneficiary from his cell at various times of the day and night to be interrogated. The evidence shows that the interrogations aimed to pressure the proposed beneficiary into convincing his mother to leave the country. The officials allegedly resorted to threats, mentioned that they would incriminate her for a common crime in order to imprison her, and insinuated that she would be physically harmed.

8. In April 2023, an ordinary prisoner began to harass the proposed beneficiary. It was reported that, in response to a conflict caused by that prisoner, prison authorities intervened by using pepper spray against the proposed beneficiary. In addition, a guard threw away the proposed beneficiary's food and handcuffed him so tightly that it left marks on his wrists for several weeks. In April 2023, his mother filed a complaint with the Military Prosecutor's Office due to an escalation of violence against the proposed beneficiary. However, on May 18, 2023, the complaint was reportedly answered by the prosecution, which stated that the only misconduct attributable to the guard was that the handcuffs had been applied too tightly.

9. In October 2024, the proposed beneficiary was severely beaten for causing a protest in the prison. It was reported that, at that time, the country was experiencing a nationwide blackout that led to protests and the detention of several people. When the first detainees arrived at the prison and the authorities refused to provide them with medical attention, the proposed beneficiary protested by wearing a T-shirt with the word "justice" on it and shouting slogans. In response, officers handcuffed and punched him in the torso, arms, and legs. An entire can of pepper spray was sprayed into his face. According to his mother's testimony, from that day on he began to experience loss of vision in his left eye. In addition, it was argued that he has never been examined by an ophthalmologist despite his mother's requests, which is why she fears that he will become permanently blind. Upon learning of these events, his mother suffered a cerebral ischemia.

10. In April 2025, a cellmate died suddenly. The proposed beneficiary notified the prison authorities, but they allegedly did not remove the body for several hours. As a result of this fact, the proposed beneficiary experienced a strong emotional impact and went through a severe depression in the following

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month. It was noted that he has spent long periods lying in bed, refusing to talk to anyone, and hardly eating. However, the request reported that the prison has not provided psychological care.

11. On July 18, 2025, to protest physical and psychological violence in the prison, the proposed beneficiary began a hunger strike that lasted 12 days. His mother attempted to visit him on July 24, 2025. However, officials refused to see her and instructed her to come back the next day.

12. On July 25, 2025, the proposed beneficiary's mother went to the prison to visit him. However, State Security officials allegedly detained her that same day, allegedly in an arbitrary and violent manner, and transferred her to a faraway police station. At that location, it was reported that she was subjected to interrogations and threats by several officers. According to the information, this situation reportedly occurred because she requested to see her son and confirm his health. Subsequently, an officer went to the residence of the proposed beneficiary's mother to inform her that she was allegedly allowed to visit her son, but threatened her with reprisals for her behavior.

13. On July 26, 2025, the proposed beneficiary was transferred to the prison hospital after an officer threatened him with a baseball bat in an attempt to end his hunger strike. According to reports, during the final days of the strike, a meeting with his mother, prison officials, prison hospital staff, and State Security officials took place. During this meeting, the authorities reportedly agreed to conduct thorough tests on the proposed beneficiary to determine how the strike had affected his body, while taking into account his pre-existing health issues. However, the applicants noted that these tests were never carried out, despite the mother's insistence.

14. On July 29, 2025, the proposed beneficiary ended his hunger strike after 12 days, but was left weakened and extremely thin. In addition, his sleep disorder and vision problems reportedly intensified. He was transferred to Prison Building 2. It was reported that on the first night, he had to put his mattress on the floor because the officers had not given him a board to place it on the bunk. A guard interpreted this as an act of disobedience and beat him while he was still weak from the strike. His family went to the prison to complain, but officials reportedly said that "it had been a mistake and would not happen again." The request warned that the violence had not decreased, and that he had been subjected to a stricter regime: not permitted to go out into the common corridor, calls reduced to a minimum, and extreme surveillance. In addition, it was revealed that other prisoners began to act in a hostile manner towards the proposed beneficiary for no apparent reason. The applicants believe that these acts constitute a strategy of intimidation ordered by other individuals, and therefore fear that they may affect the proposed beneficiary's depression.

15. With regard to detention conditions, the applicants reported that the proposed beneficiary is being held in precarious conditions and severe overcrowding, as he must share his cell with more than 30 other inmates. It was noted that this situation facilitates the spread of disease, and that there are recurring outbreaks of scabies, bedbugs, skin conditions, tuberculosis, hepatitis, and viruses such as chikungunya, dengue, and Zika. In addition, it was reported that ventilation is inadequate, humidity levels are high, there is no access to natural light, and sanitary facilities consist of holes in the floor. Furthermore, access to drinking water is limited, its availability is irregular and sometimes is not available for more than an hour, and the food provided is reportedly insufficient and of poor quality. It was emphasized that family visits are every three weeks.<sup>2</sup>

16. On December 6, 2025, during a visit, the proposed beneficiary indicated that he could not see from his left eye, could not distinguish shapes, letters, or numbers, and only saw spots. The applicants attribute it to the incident involving the pepper spray, malnutrition derived from the hunger strike, and poor food in the penitentiary.

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<sup>2</sup> The request stated that, in 2022, the proposed beneficiary received a family visit. The conditions in the overcrowded visiting room were reportedly so dire that his sister had to be taken to the hospital by ambulance after experiencing a severe reaction just 20 minutes into the visit.

17. The request emphasized that the proposed beneficiary's physical deterioration has reached a dangerous level, given that he has not regained his normal weight and, in recent weeks, has been experiencing dizziness, frequent headaches, loss of appetite, severe insomnia, vomiting, and stomach and abdominal pain. Prison officials told him it could be chikungunya or dengue fever, but his family fears it may be an undiagnosed kidney problem. Although they have requested specialized medical care, he is reportedly not receiving it. In addition, the request reported that the proposed beneficiary has pre-existing health issues such as chronic high blood pressure, polycythemia, and congenital kidney disease. However, he is allegedly not receiving the corresponding treatment. In the request, it was specified that the proposed beneficiary requires ophthalmology, nephrology, cardiology, and hematology tests, none of which had been provided by the prison authorities. His hypertension is also not being monitored, and his current health is unknown.

18. Similarly, the request highlighted that his mental health has also deteriorated and that he had been showing episodes of distress, depression, and confusion, which were evident during visits and phone calls. Moreover, it was indicated that in the last month the proposed beneficiary stopped making calls to "avoid problems." His mother fears that he is hiding threats for fear of reprisals. As noted, during the visit on December 6, 2025, he spoke extensively about the possibility of his mother leaving the country. The applicants consider that this conduct indicates he is being subjected to pressure through threats to his mother's physical integrity. The applicants also observed that the proposed beneficiary's mother, Yenisey Taboada Ortíz, has been subjected to harassment and persecution, circumstances that are documented in Amnesty International's 2025 report on Cuba.<sup>3</sup> The request argued that this situation constitutes indirect pressure against the proposed beneficiary, which negatively affects his health.

19. Furthermore, the request indicated that his mother had repeatedly urged the domestic authorities to provide medical treatment in favor of the proposed beneficiary, both for his pre-existing chronic health issues and for issues acquired in prison, including the loss of vision in his left eye and his mental health. It was reported that the mother has filed complaints, verbal requests, and formal claims with the criminal investigation department, medical staff, the Public Prosecutor's Office, and the Office of Public Services. In this regard, they noted the following:

- a. On each occasion that this proposed beneficiary's mother had knowledge of alleged mistreatment against her son, she made a complaint at the prison. According to reports, she has not always been heard, and on the occasions she was able to speak to someone, she was promised that it would not happen again and that the proposed beneficiary would receive medical care. However, on numerous occasions, officials reportedly denied the mistreatment or minimized it to avoid taking responsibility.
- b. The mother filed a complaint with the Public Service Office regarding the alleged injustice committed against her son and the abuse by prison guards.
- c. In April 2023, the mother filed a formal complaint with the Military Prosecutor's Office due to the excessive violence used against the proposed beneficiary, including the use of pepper spray.
- d. In July 2025, the mother reportedly insisted that prison physicians perform or prescribe the specialized tests that the proposed beneficiary required. As revealed, the authorities' systematic response has been to ignore, delay, or deny any effective action.

## **B. Response from the State**

20. The Commission requested information from the State on January 9, 2026. To date, no response has been received from them, and the granted timeline has expired.

<sup>3</sup> Amnesty International, [They want to silence us, but we continue to resist: authoritarian practices and state violence against women in Cuba](#), November 26, 2025 (Available only in Spanish).

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

21. 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 IACtHR. 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 irreparable harm to persons.

22. 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.<sup>4</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.<sup>5</sup> To do this, the IACtHR 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.<sup>6</sup> As for their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACtHR. 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.<sup>7</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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).

<sup>6</sup> 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).

<sup>7</sup> 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).

23. 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.<sup>8</sup> Similarly, the Commission recalls that, by its own mandate, it is not within 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.<sup>9</sup> 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.<sup>10</sup>

24. Moreover, when assessing the alleged facts, and pursuant to Article 25 (6) of its Rules of Procedure, the Commission takes into account the *context* that Cuba is currently experiencing. In its 2024 Annual Report, the IACHR considered, when including Cuba in Chapter IV.B, that there is a serious violation of the fundamental elements and institutions of representative democracy in that country, including an abusive exercise of power that contravenes the rule of law through the systematic infringement of the independence of the judiciary.<sup>11</sup>

25. In 2024, the Commission recorded situations such as arbitrary restrictions on the right to assembly and association, as well as on freedom of expression and dissemination of thought, particularly in the context of the social protests that took place in the country since July 2021 and continued throughout 2022, 2023, and 2024.<sup>12</sup> At least 543 people are still deprived of their liberty for their participation in protests, of whom 360 are linked to the protests in July 2021 and 183 to subsequent protests. From these, 101 have been sentenced to between 10 and 22 years in prison or correctional labor.<sup>13</sup> According to available reports, most of these convictions were issued in trials that lacked due process guarantees.<sup>14</sup> In addition, restrictions on prison benefits, limitations on family contact, and inhumane prison conditions have also been reported.<sup>15</sup> On December 4, 2024, the Commission condemned the growing repression in Cuba against opposition figures and dissident voices in the midst of the serious social and economic crisis, and urged the State to put an end to intimidation practices and guarantee the full exercise of the rights to freedom of expression, peaceful assembly, association, and economic, social, cultural and environmental rights.<sup>16</sup>

26. In its 2024 Annual Report, the Commission also reiterated its concern about the lack of up-to-date official information on the situation of persons deprived of liberty, the high rate of incarceration, and the deplorable detention conditions, as well as the difficulties in accessing rights, which have reportedly led to hunger strikes.<sup>17</sup> Moreover, they also expressed concern about the persistence of acts of torture and ill-

<sup>8</sup> 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.

<sup>9</sup> 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.

<sup>10</sup> In this regard, the Court has stated 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." I/A Court H.R., [Matter of James et al. regarding Trinidad and Tobago](#), Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); [Case of the Barrios Family v. Venezuela](#), Provisional Measures, Order of April 22, 2021, considerandum 2 (Available only in Spanish).

<sup>11</sup> IACHR, [2024 Annual Report](#), Ch. IV.B. Cuba, OEA/Ser.L/V/II. Doc. 39 rev. 2, March 26, 2025, para. 20.

<sup>12</sup> IACHR, [2024 Annual Report](#), previously cited, para. 6.

<sup>13</sup> IACHR, Press Release R151/25 [Cuba: SRFOE condemns state repression and calls for respect and guarantee of the rights to freedom of expression, association, and peaceful assembly](#), July 31, 2025.

<sup>14</sup> IACHR, Press Release R151/25, previously cited.

<sup>15</sup> IACHR, Press Release R151/25, previously cited.

<sup>16</sup> IACHR, Press Release No. 306/2024, [IACHR, SFROE, and REDESCA condemn repression of organizations and media in Cuba amid severe social and economic crisis](#), December 4, 2024.

<sup>17</sup> IACHR, [2024 Annual Report](#), previously cited, para. 57.

treatment in Cuban prisons, including the practice of forced labor.<sup>18</sup> The IACtHR continued to receive information about overcrowding, although the exact percentage is unknown, lack of water supply, deficiencies in medical care, and poor hygiene conditions.<sup>19</sup> The Commission highlighted that, between January and September 2024, the Cuban Prison Documentation Center recorded 466 complaints related to the denial of medical care or the poor provision of such care in more than 29 prisons.<sup>20</sup> People deprived of their liberty for political reasons are reportedly particularly affected by the lack of communication with their families.<sup>21</sup>

27. Along the same lines, the Commission noted that, during its 189th Session, it received information indicating that 2022 and 2023 were marked by intense repression against female activists in Cuba, including measures such as isolation in punishment cells, threats, and severe restrictions on communications.<sup>22</sup> The Commission also learned of institutional gender-based violence perpetrated by the Cuban State against mothers, through coercion, intimidation, and threats to take away custody of their children.<sup>23</sup>

28. Consequently, the Commission understands that the circumstances described in the request, along with the country contextual monitoring carried out by the IACtHR, are relevant in the analysis of the procedural requirements. The above provides consistency to the account presented and allows for an understanding of the seriousness of the specific situation in the country.

29. With regard to the requirement of *seriousness*, the Commission considers that it has been met, by identifying the following:

- a. According to the information available, from 2021 to date, the proposed beneficiary has allegedly been subjected to: beatings by more than ten guards simultaneously; the use of pepper spray in his face; the application of the “torture” method known as the wheelbarrow, which dislocated his collarbone; marks on his wrists from tight handcuffs; threats with a baseball bat to force him to end a hunger strike; and confinement in a punishment cell for up to six months. According to the report, it is particularly serious that, during December 2025, the proposed beneficiary allegedly ceased making phone calls “to avoid problems.” The applicants therefore indicated that he may be concealing threats out of fear of reprisals.
- b. As reported, the proposed beneficiary has pre-existing health issues such as chronic high blood pressure, polycythemia, and congenital kidney disease. In addition, following repeated episodes of physical violence and excessive use of pepper spray against his protests, the proposed beneficiary is reportedly extremely thin and experiences dizziness, frequent headaches, loss of appetite, vomiting, severe insomnia, stomach and abdominal pain, and loss of vision in his left eye. While this Commission understands that the proposed beneficiary decided to go on hunger strikes, the available information reveals that the State’s response was not to seek the appropriate support or health care, but rather focused on acts of violence against him.
- c. Despite the ongoing health symptoms, it was alleged that he was not receiving adequate medical care, and that necessary check-ups and specialized tests were not being conducted. In particular, the request specified that he requires evaluations by ophthalmologists, nephrologists, cardiologists, and hematologists, as well as regular monitored treatment for his high blood pressure, none of which has been provided by prison authorities. As a result, his current state of health remains unknown.

<sup>18</sup> IACtHR, [2024 Annual Report](#), previously cited, para. 57.

<sup>19</sup> IACtHR, [2024 Annual Report](#), previously cited, para. 59.

<sup>20</sup> IACtHR, [2024 Annual Report](#), previously cited, para. 59.

<sup>21</sup> IACtHR, [2024 Annual Report](#), previously cited, para. 60.

<sup>22</sup> IACtHR, [2024 Annual Report](#), previously cited, para. 69.

<sup>23</sup> IACtHR, [2024 Annual Report](#), previously cited, para. 69.

- d. The proposed beneficiary's mental health is also reportedly being impacted. He was alleged to have experienced episodes of distress, depression, and confusion. Furthermore, following the death of his cellmate, the proposed beneficiary experienced severe emotional distress and became severely depressed, often lying in bed for extended periods, refusing to speak to anyone, and barely eating. Despite this, it was indicated that he was not receiving psychological care in the prison.
- e. Regarding detention conditions, the request revealed that the proposed beneficiary is not allowed access to the common corridor, phone calls are limited, family visits are every three weeks, and surveillance is extreme. In addition, it was mentioned that overcrowding is severe, as inmates must live with more than 30 other prisoners, which facilitates the spread of disease, with recurring outbreaks of scabies, bedbugs, skin conditions, tuberculosis, hepatitis, and viruses such as chikungunya, dengue, and Zika. It was reported that ventilation is poor, humidity levels are high, there is inadequate access to sunlight, sanitary facilities consist of holes in the floor, access to drinking water is limited, and food was described as poor and of low quality.
- f. Therefore, it was reported that the proposed beneficiary's mother has taken various internal actions, in particular to report the alleged abuse and to request medical attention for the physical and mental health issues that the proposed beneficiary is experiencing. In particular, it was detailed that she has filed complaints, verbal and formal claims with the criminal headquarters, medical staff, the Prosecutor's office, and the Public Service Office. However, the applicants stated that the authorities have ignored, delayed, or downplayed the reported incidents, and to date, the proposed beneficiary has not received adequate medical care. In response to this, it was emphasized that there are no effective resources at the internal level.
- g. The Commission also expresses its particular concern regarding the situation of the proposed beneficiary's mother, Yenisey Taboada Ortíz. According to the information provided, she has been subjected to harassment and threats, and was even deprived of her liberty, as a result of her work in defense of her son's rights. In this regard, the available information reveals a series of events that have a particular impact on her given her status as a mother and a woman, with a view to harassing and discrediting her in the context of the country.<sup>24</sup>
- h. Under the circumstances described above, the Commission finds that the internal actions that the proposed beneficiary's mother has undertaken have reportedly not been effective. On the contrary, these actions have allegedly placed both of them in a particularly vulnerable situation. Therefore, while this situation persists, the Commission considers that both the proposed beneficiary and his mother are completely defenseless and unprotected against the risks they may face in Cuba.

<sup>24</sup> Amnesty International, [They want to silence us, but we continue to resist: authoritarian practices and state violence against women in Cuba](#), previously cited, p. 15, 17, and 19 (Only available in Spanish). Amnesty International's 2025 Report documents the situation of Yenisey Taboada Ortíz as a human rights defender and denouncer of the situation of prisons in Cuba, noting that the treatment towards her has been more cruel because she is a woman and a mother. She also stated that a State Security agent approached her to hug and kiss her near her ear, against her will, after which she claimed to feel disgust. Police officers have also described her as "worm" [gusano, derogatory term in Cuba for exiles, dissidents, or government critics, implying disloyalty to the Revolution] and "counterrevolutionary". Yenisey Taboada Ortíz emphasized that State Security agents have used photos of her without her consent and have posted mocking comments about her on fake profiles, presumably to generate unfavorable opinion. She also warned that she has been intercepted on several occasions by unidentified state agents and has been detained three times on the street.

30. 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 prevents the Commission from being aware of the observations or measures taken by the State to address the alleged risk. Therefore, the Commission does not have elements that would allow it to dispute the facts alleged by the applicants, nor to assess whether the alleged risk has been addressed or mitigated. Notwithstanding, the Commission recalls that the proposed beneficiary is in the custody of the State, and therefore has a special position of guarantor, since prison authorities exercise strong control or command over the persons in their custody.<sup>25</sup> Even though the Commission is not called upon to determine the perpetrators of the risks or if they are attributable to State actors, when assessing this request it does consider the seriousness of the possible participation of State actors according to the allegations and allegedly place the proposed beneficiary and his mother in a special situation of vulnerability.

31. Taking into account the current context of the country, and the previous assessments, the Commission identifies that, from the applicable *prima facie* standard, it is sufficiently shown that the proposed beneficiary and his mother face a situation presenting a serious risk to his rights to life, personal integrity and health in Cuba. The Commission observes that, although the request for precautionary measures was not expressly submitted on behalf of Yenisey Taboada Ortíz, the mother of the proposed beneficiary, there is sufficient factual evidence to suggest that, as a result of the actions taken in defense of her son, she shares risk factors associated with the situation described, which justifies the adoption of precautionary measures on her behalf.

32. As for the requirement of *urgency*, the Commission considers it to be met, given that Duannis Dabel León Taboada remains in State custody under the conditions described, which are likely to continue and worsen over time. Of particular concern is the lack of information on immediate medical care or interventions that could reverse the health deterioration that have been noted, which reinforces the imminence of the risk. In the case of his mother, Yenisey Taboada Ortíz, the Commission observes that the threats against her by state officials indicate a situation of risk that could materialize at any time in the current context of the country. Therefore, it is necessary to immediately adopt measures to safeguard their rights to life, personal integrity, and health.

33. Regarding the requirement of *irreparable harm*, the Commission maintains that it has been met, insofar as the potential impact on the rights to life, personal integrity, and health constitutes the maximum situation of irreparability.

#### **IV. BENEFICIARIES**

34. The Commission declares as the beneficiaries Duannis Dabel León Taboada and Yenisey Taboada Ortíz, who are duly identified in this proceeding.

#### **V. DECISION**

35. The Commission understands 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 Cuba:

- a) take the necessary measures to protect the rights to life, personal integrity, and health of Duannis Dabel León Taboada and Yenisey Taboada Ortíz;

<sup>25</sup> I/A Court H.R., Case of Mendoza et al. v. Argentina, Preliminary Objections, Merits and Reparations, Judgment of May 14, 2013, Series C No. 260, para. 188; See also: IACtHR, Report on the Human Rights of Persons Deprived of Liberty in the Americas, December 31, 2011, para. 49.

- b) implement the necessary measures to ensure that the conditions of detention of Duannis Dabel León Taboada are compatible with applicable international standards in this area;
- c) immediately conduct a comprehensive medical assessment of Duannis Dabel León Taboada's physical and mental health and guarantee timely and specialized medical care and treatment, informing the results to his family and representatives;
- d) ensure that Duannis Dabel León Taboada is not subjected to violence, threats, intimidation, or aggression within the prison;
- e) take the necessary measures, with a gender-based approach, to ensure that Yenisey Taboada Ortíz can carry out her activities as a human rights defender without being subjected to threats, harassment, intimidation, or other acts of violence in the exercise of her duties;
- f) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and
- g) report on the actions taken to investigate the alleged facts that gave rise to this resolution, so as to prevent such events from reoccurring.

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

37. The Commission emphasizes that, pursuant to Article 25(8) of its 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.

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

39. Approved on January 19, 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.

Tania Reneaum Panszi  
Executive Secretary