
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 96/2020**

Precautionary Measure No. 1043-20
Niober García Fournier and his family regarding Cuba
December 18, 2020
Original: Spanish

I. INTRODUCTION

1. On November 3, 2020, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures filed by the organization Global Liberty Alliance (“the applicants”), urging the Commission to require that the State of Cuba (“the State” or “Cuba”) adopt the necessary measures to protect the rights to life and personal integrity of Niober García Fournier (“the proposed beneficiary”). According to the request, the proposed beneficiary is being subjected to threats, harassment, detentions and acts of violence by state actors and third parties, purportedly as a result of his work as an independent journalist and human rights defender in Cuba.

2. On November 17, 2020, in accordance with Article 25.5 of its Rules of Procedure, the IACHR requested information from the State and the applicants. To date, no response has been received from the State. The applicants sent additional information on November 23 and December 4, 2020.

3. After analyzed the submissions of fact and law presented by the applicants, the Commission considers that the information submitted demonstrates prima facie that Niober García Fournier finds himself in a serious and urgent situation, given that his rights to life and personal integrity are at risk of irreparable harm. Consequently, in accordance with Article 25 of the IACHR’s Rules of Procedure, the Commission requests that Cuba: a) implement the necessary measures to protect the rights to life and personal integrity of Mr. Niober García Fournier and his family. To this end, the State must ensure that its agents respect the life and personal integrity of the beneficiaries, as well as protect their rights in relation to acts of risk that are attributable to third parties, in accordance with the standards established by international human rights law; b) adopt the necessary measures to ensure that Mr. Niober García Fournier can carry out his activities as an independent journalist and human rights defender without being subjected to acts of violence, intimidation, harassment and detention in the exercise of his work. The foregoing includes the adoption of measures so that he can exercise his right to freedom of expression; c) agree upon the measures to be implemented with the beneficiaries and their representatives; and, d) report on the actions taken in order to investigate the alleged events that led to the adoption of this resolution with the aim of preventing their reoccurrence.

II. SUMMARY OF FACTS AND ARGUMENTS

1. Information provided by the applicants

4. Niober García Fournier is an independent journalist, observer and human rights defender in the province of Guantánamo in Cuba. The request alleges that the proposed beneficiary has been constantly persecuted, threatened, attacked and detained for more than five years. He lives under “extreme” stress, not only fearing for his physical and psychological safety, but also for that of his family members, who have recently been threatened.

5. Thus, according to the request, on April 18, 2015, the proposed beneficiary was stabbed and hit on the head with a bottle during the night by a collaborator of the Department of State Security (“DSE”, by its Spanish acronym). Later, on October 19, he was arbitrarily detained while supporting the Ladies in White (*Damas de Blanco*) in a complaint before the municipal department of Guantánamo. On this occasion, the proposed beneficiary received threats and was warned by DSE agents that “if he continued with his activism he would go to prison, since his activities are considered counter-revolutionary.” Subsequently, on December 11, he was arbitrarily detained by DSE agents at a checkpoint of the National Revolutionary Police (“PNR”, by its Spanish acronym) in Río Frío when he was traveling by bus from Havana, after arriving from a training event on the inter-American human rights system. He was taken to a DSE detention center, known as the Center of Operations for Crimes against State Security, where he suffered cruel treatment and insults. DSE agents also seized from him 970 euros, four telephones, a computer, information memory sticks and documents related to the training. He was released 24 hours later.

6. Subsequently, on October 27, 2016, Mr. García Fournier was arbitrarily detained around 10 a.m. when he was traveling by train from Guantánamo to Holguín. He was taken to the DSE Operations Unit in Guantánamo where he was deprived of his liberty until October 30. He was threatened again that “he would be imprisoned if he continued to carry out counter-revolutionary activities,” his human rights defender ID card from the organization Front Line Defenders¹ was taken away from him and his phone was confiscated. The following day, state actors prohibited the proposed beneficiary from traveling to Trinidad and Tobago to participate in a human rights training workshop because he was allegedly “under an investigative process.”

7. Similarly, in 2017, the proposed beneficiary was prohibited from leaving the country on two occasions: the first one, on May 27, when he was going to Panama City with the aim of participating in a journalism course sponsored by the Latin American Journalism Center (CELAP); and the second one, on October 27, when he tried to travel to Dublin to participate in an event organized by Front Line Defenders. Additionally, on November 2, 2017, he was arbitrarily detained at the Guantánamo province’s train terminal by a DSE officer when he tried to visit a relative in Carrera Larga. On this occasion, he was taken to the police station Parque 24 where he was deprived of his liberty for two hours, interrogated and intimidated by a DSE officer who told him that “he could not leave the province or the municipality” and that “at some point he was going to pay for collecting information and publishing it.” Two weeks later, on November 17, Mr. García Fournier was summoned to appear for four hours at the DSE Operations Unit, where he was interrogated by several officers who threatened him by stating that “the time had come to pay for the independent journalism that he carried out.” He was issued a warning for “usurpation of functions,” alleging that he was not accredited as a journalist. The officers also threatened to search his house to confiscate his work equipment and to arrest him on the street to take money from him. The request indicates that the proposed beneficiary was severely psychologically affected after this incident.

8. Additionally, they applicants reported that, on January 17, 2018, Mr. García Fournier was arbitrarily detained along with other defenders when he left the home of defender Arturo Feliciano Acosta Guillen, where a meeting of human rights defenders had been held. He was taken to the Operations Unit of the DSE where he was issued a warning for “illicit association” and “espionage.” Subsequently, on March 25, 2018, he was arbitrarily detained at the military checkpoint in the province of Camagüey by several police and DSE officers when he was traveling to the province of Havana with the aim of participating in a symposium on economy and environment in Jamaica. He was released on

¹ See, in this regard: Front Line Defenders. [Niober García Fournier. HRD. Director Eye on Cuba.](#)

March 29, 2018, after being issued a warning for “giving false news against international peace and for giving information about the Cuban military to counter-revolutionaries in exile.” On this occasion, his passport was confiscated by state actors, who warned him that he could not leave the province. The applicants indicate that on March 31, and June 12 and 13, 2018, the proposed beneficiary received threats from DSE officers via telephone.

9. Subsequently, on June 15, 2018, Mr. García Fournier was at his wife’s house –a place where he does not reside– when state actors entered the residence and detained him in front of his family. He was taken to the DSE Operations Unit where he was deprived of his liberty for four days. During his detention, the officers confiscated two computers, a telephone, a digital camera, a tablet, two flash memories, a digital recorder, an external disk, an external charger, a small file with “the evidence of the violations against him,” some legal documentation, and various digital and handwritten documents with complaints. On July 18, 2018, state actors prevented the proposed beneficiary from leaving the country to go to Trinidad and Tobago to participate in a human rights training event.

10. Later, on February 21, 2019, the proposed beneficiary was summoned to the DSE Operations Unit where he was again threatened by state actors who told him that “they would give him one last opportunity to stop working for the opposition, or else they would take him to prison.”

11. On January 24, 2020, Mr. García Fournier was summoned to the Guantánamo PNR Station where he was issued a warning for the crimes of “incitement to commit a crime and defamation of institutions, organizations and heroes of the Republic.” Subsequently, on April 15, 2020, he was summoned to the Criminal Investigation Unit in Guantánamo where he was fined 3,000.00 Cuban pesos for allegedly “publishing the reality of Cuba on social media” in violation of Decree Law 370 “that limits online publications that the regime considers subversive.”²

12. On September 5, 2020, messages were sent to the proposed beneficiary, from the phone number of a fellow human rights defender, whereby he was warned that he would be attacked for “speaking poorly” about his colleague. However, days later, his colleague stated that he was kidnapped by DSE officers and that it was these officers that sent the messages to the proposed beneficiary. On September 24, 2020, Mr. García Fournier was arbitrarily detained for trying to participate in a Martí’s campaign in the Caribbean district of the province of Guantánamo.³ He was taken to the police station Parque 24 where he was severely beaten on his head and ribs by police officers. He was released two hours later, after receiving a warning for “vagrancy” and “usurpation of legal capacities,” and a fine of 30 pesos for “disturbance of the peace.”

13. Subsequently, on November 15, 2020, while he was in a playground with his wife and his 9-year-old son, he noticed that one of the DSE officers who attacked him on September 24 was observing him. According to the proposed beneficiary, he decided to flee and go to another park, because he feared for his and his family’s integrity. However, after a while, the officer appeared at the other park, walking in front of the proposed beneficiary while talking on the phone always looking at him and his family. These acts of persecution and surveillance were repeated the following day, November 16, and on November 23. The first time, it was the same person who was observing Mr. García Fournier while he waited for his wife at her workplace. On the second occasion, individuals followed the proposed beneficiary while he was accompanying his wife to work.

² Radio Television Martí. “[Journalist fined twice in a month by Decree 370](#)”. May 21, 2020 (Available in Spanish); Cuba Net. “[Niober García Fournier, doubly affected by Decree-Law 370](#)”. May 20, 2020 (Available in Spanish).

³ Asociación Pro Libertad de Prensa. “[Journalist Niober García Fournier arrested and beaten by political police](#)”. September 25, 2020 (Available in Spanish).

14. Most recently, on November 27, while Mr. García Fournier was returning from a meeting with colleagues, he was intercepted by two police officers who interrogated him and threatened to “harm him or his family if he continued with his journalistic work.” The request indicates that, after this event, police officers keep appearing wherever the proposed beneficiary and his family go, which causes him “constant panic attacks, to the point that he thinks he is going crazy as he sees the same persons so many times in different places.” Moreover, the applicants reported that, in recent months, the proposed beneficiary has experienced communication shutdowns on his mobile phone, an alleged strategy that the DSE carries out as harassment.

15. According to the applicants, as a result of the ongoing threats, persecution and attacks, and the lack of protection measures by the State, the proposed beneficiary implements his own security measures, such as not going out at night, being vigilant at all times, going somewhere else when he sees a suspicious person, and trying to avoid the same routes.

16. Lastly, the request indicates that the proposed beneficiary has reported his situation to the Municipal Prosecutor’s Office (*Fiscalía*) of Guantánamo, the Citizen Service of the Ministry of the Interior in Guantánamo and the immigration and foreigner proceedings office, but that he had not received any response.

2. Information provided by the State

17. The Commission requested information from the State on November 17, 2020, without having received any response to date.

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

18. The precautionary measures mechanism is part of the Commission’s functions of overseeing Member State compliance with the human rights obligations established in Article 106 of the Charter of the Organization of American States (“OAS”). These general functions are set forth in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. Moreover, the precautionary measures mechanism is enshrined in Article 25 of the Rules of Procedure, by which the Commission grants precautionary measures in serious and urgent situations, where such measures are necessary to prevent irreparable harm.

19. 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, one being protective and the other being precautionary. Regarding their protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights. With regards to their precautionary nature, these measures have the purpose of preserving legal situations while the bodies of the Inter-American System analyze a petition or case. Their objective 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 *effet utile* of the final decision. In this regard, precautionary or provisional measures allow the State concerned to comply with the final decision and if necessary, implement the ordered reparations. For such purposes, according to Article 25.2 of the 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.

20. In analyzing these requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt, rather, the purpose of the assessment of the information provided should be to determine *prima facie* if a serious and urgent situation exists.⁴

21. In addition, in the current matter, the Commission observes that the alleged situation of risk faced by the proposed beneficiary is framed within a specific context related to the situation of human rights defenders and journalists in Cuba, generally characterized by a climate of hostility, persecution and harassment, particularly with respect to those who have expressed their opposition to the government.⁵ Thus, those who defend human rights in the country are subjected to serious processes of criminalization and judicial persecution, and accusations of crimes such as contempt, dangerousness and pre-criminal social dangerousness, non-payment of fines, public disorder and resistance or rebellion, all with the aim of obstructing or paralyzing their work in defense and promotion of human rights.⁶ Other forms of harassment include being summoned to police stations, searches of their homes, assaults, prohibitions from leaving or entering the country, obstacles to leaving their homes through the use of official operations and surveillance of their communications.⁷ Further, the Commission has observed that human rights defenders are victims of repeated arbitrary detentions as a method of harassment by police and state security actors.⁸ Once deprived of their liberty, human rights defenders may be subjected to attacks, threats and mistreatment inside penitentiaries.⁹

22. Considering the situation of special risk faced by human rights defenders in Cuba, the IACHR has granted several precautionary measures,¹⁰ including to the members of the Ladies in White.¹¹

⁴ See in this regard: I/A Court H.R. [Matter of Residents of the Communities of the Miskitu Indigenous People of the North Caribbean Coast Region regarding Nicaragua](#). Extension of Provisional Measures. Order of the Inter-American Court of Human Rights of August 23, 2018. Considerandum 13; I/A Court H.R. [Matter of the children and adolescents deprived of their liberty in the “Complexo do Tatuapé” of the Fundação CASA](#). Request for extension of precautionary measures. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 4, 2006. Considerandum 23.

⁵ IACHR. [Situation of Human Rights in Cuba](#). OEA/Ser.L/V/II. Doc. 2. February 3, 2020. Para. 172; IACHR. [Annual Report 2019. Chapter IV.B Cuba](#). OEA/Ser.L/V/II. Doc. 5. February 24, 2020. Para. 22.

⁶ IACHR. [Situation of Human Rights in Cuba](#). OEA/Ser.L/V/II. Doc. 2. February 3, 2020. Paras. 173 & 188; IACHR. [Annual Report 2019. Chapter IV.B Cuba](#). OEA/Ser.L/V/II. Doc. 5. February 24, 2020. Para. 22.

⁷ IACHR. [Special Report on the Situation of Freedom of Expression in Cuba](#). OEA/Ser.L/V/II. IACHR/RELE/INF.21/18. December 31, 2018. Para. 136.

⁸ IACHR. [Situation of Human Rights in Cuba](#). OEA/Ser.L/V/II. Doc. 2. February 3, 2020. Para. 178; IACHR. [Annual Report 2019. Chapter IV.B Cuba](#). OEA/Ser.L/V/II. Doc. 5. February 24, 2020. Para. 22.

⁹ See in this regard: IACHR. [Resolution 37/2020. Precautionary Measure No. 578-20. Keilylli de la Mora Valle regarding Cuba](#). July 17, 2020 (Available in Spanish); IACHR. [Resolution 29/2019. Precautionary Measures No. 306-19, 307-19 and 326-19. Josiel Guía Piloto, Iván Amaro Hidalgo and Jesús Alfredo Pérez Rivas regarding Cuba](#). June 11, 2019 (Available in Spanish); IACHR. [Resolution 23/2019. Precautionary Measure No. 81-19. Edilberto Ronal Arzuaga Alcalá regarding Cuba](#). April 22, 2019 (Available in Spanish); IACHR. [Resolution 16/2018. Precautionary Measure No. 39-18. Eduardo Cardet Concepción regarding Cuba](#). February 24, 2018 (Available in Spanish).

¹⁰ See in this regard: IACHR. [Resolution 90/20. Precautionary Measure No. 935-20. Maydolis Leyva Portelles, Ana Iris Miranda Leyva, Ada Iris Miranda Leyva, Fidel Manuel Batista Leyva, T.R.M., A.M.R.M., and María Casado Ureña regarding Cuba](#). November 23, 2020; IACHR. [Resolution 13/2020. Precautionary Measure 3-20. María Elena Mir Marrero regarding Cuba](#). February 5, 2020 (Available in Spanish); IACHR. [Resolution 22/2018. Precautionary Measure No. 954-16. José Ernesto Morales Estrada regarding](#)

23. Moreover, as a contextual element, the Commission, and its Special Rapporteurship for Freedom of Expression (RELE) have been emphatic in stressing that the repression of independent journalists in Cuba is a systematic and long-standing practice.¹² Recently, they have expressed serious concern about the escalation of criminalization and harassment of independent journalists in Cuba, referring especially to the limitations and obstacles to the right to freedom of expression, including criminalization of criticism, the censorship and blocking of information, surveillance, as well as multiple acts of harassment and threats to intimidate those who express ideas critical of the government.¹³ Likewise, the Commission and its Rapporteurship have pointed out that there is a selective use of the aforementioned Decree Law 370 on the information put out by civil society, in order to prosecute and criminalize a significant number of persons for critical expressions.¹⁴ In this regard, according to the IACHR and the RELE, the threats used to repress independent journalism are often reflected in a selective persecution under the criminal definition of “usurpation of functions and usurpation of legal capacity.”¹⁵

24. Bearing in mind the particular context of Cuba, the Commission will proceed to analyze the regulatory requirements with respect to the proposed beneficiary. This, in the understanding that said context endows a special seriousness towards the facts alleged by the applicants.

25. The Commission considers that the requirement of seriousness has been met. When assessing this requirement, the Commission identifies that the risk faced by the proposed beneficiary is directly related to his work as a human rights defender and independent journalist. In this sense, the Commission observes that the proposed beneficiary has been persecuted, threatened and harassed countless times in recent years. On at least three occasions, his phone and other work equipment, such as computers, cameras, flash drives and external drives, have been confiscated by state actors, and he has also suffered shutdowns in communication on his mobile phone. Similarly, he has been the victim of acts of violence, in which state actors have allegedly participated, such as the attack committed against him on September 24, 2020, when he was severely beaten on his head and ribs by police officers. Such events are particularly serious insofar as they occurred when the proposed beneficiary was in the custody of the State upon being detained.

26. In this regard, the Commission also observes that the proposed beneficiary has been detained for various periods of time on at least seven occasions from April 2015 to date. While it is not the responsibility of the IACHR on this occasion to determine the compatibility of the detentions with the American Declaration of the Rights and Duties of Man (“American Declaration”), it does take into account the allegations of aggressions reportedly attributable to state agents during these detentions.

Cuba. March 18, 2018 (Available in Spanish); IACHR. [Situation of Human Rights in Cuba](#). OEA/Ser.L/V/II. Doc. 2. February 3, 2020. Para. 172

¹¹ IACHR. [Resolution 12/2020. Precautionary Measure No. 1116-19. Nancy Alfaya and her husband Jorge Olivera regarding Cuba](#). February 5, 2020 (Available in Spanish); IACHR. Resolution 6/2013. Precautionary Measure No. 264-13. [Topic Ladies in White regarding the Republic of Cuba](#). October 28, 2013.

¹² IACHR. [Special Report on the Situation of Freedom of Expression in Cuba](#). OEA/Ser.L/V/II. IACHR/RELE/INF.21/18. December 31, 2018. Paras. 83-85

¹³ IACHR. Press Release No. R280/20. [The IACHR and its Special Rapporteurship express serious concern over the escalation of criminalization and harassment of independent activists, artists, and journalists in Cuba](#). November 23, 2020 (Available in Spanish).

¹⁴ IACHR. Press Release No. R280/20. [The IACHR and its Special Rapporteurship express serious concern over the escalation of criminalization and harassment of independent activists, artists, and journalists in Cuba](#). November 23, 2020 (Available in Spanish).

¹⁵ IACHR. [Special Report on the Situation of Freedom of Expression in Cuba](#). OEA/Ser.L/V/II. IACHR/RELE/INF.21/18. December 31, 2018. Para. 11.

27. Furthermore, the proposed beneficiary has been subject to prohibitions to leave the country on at least four occasions from October 2016 to date, when he was going to carry out activities related to journalism and the defense of human rights, and, in March 2018, his passport was confiscated by state actors. Therefore, the Commission notes that, despite having filed various complaints with the country's competent authorities, this situation has reportedly persisted over time.

28. For the Commission, the aforementioned risk events reflect that the proposed beneficiary has severe limitations on his ability to carry out his activities as an independent journalist and human rights defender in Cuba. The events to which he has been exposed also indicate that there is a special fixation by state actors on him with the aim of keeping him under strict surveillance and control over time. The Commission particularly takes into account that many of these acts of aggression, surveillance, persecution and threats have been carried out in the presence of the proposed beneficiary's family members.

29. In view of the situation analyzed above, the Commission regrets the lack of response from the State, after having requested its observations on this request. While the foregoing is not sufficient per se to justify the granting of a precautionary measure, it does prevent the Commission from obtaining information from the State on the situation of the proposed beneficiary. Given the lack of response from the State, the Commission does not have elements that allow it to disprove the applicants' allegations or identify information on measures effectively adopted by the State to mitigate the alleged risk situation faced by the proposed beneficiary. On the other hand, although it is not the Commission's responsibility to determine the perpetrators of the risk events, or whether they are attributable to state actors, when assessing this request it does take into account the seriousness of the possible participation of State actors, in accordance with the allegations made, since this would place the proposed beneficiary in a situation of greater vulnerability.

30. Considering the foregoing, the Commission concludes that the information provided by the applicants, assessed in the previously mentioned context, is sufficient to consider from a prima facie standard that the rights to life and personal integrity of Niober García Fournier are at serious risk. Further, taking into account the allegations that such threats are related to the exercise of freedom of expression, the Commission considers that this situation, in a context such as the one the State is going through, is likely to have repercussions on the right of Cuban society to be informed and receive information, which is essential for the existence of a democratic State.

31. The Commission considers that the urgency requirement has been met, in view of the ongoing acts of harassment, threats and attacks purportedly committed against the proposed beneficiary, and that his situation of risk is related to his work as a human rights defender and independent journalist. The Commission warns that these acts are likely to be repeated in the near future, thus requiring the adoption of immediate measures to protect his rights. According to the applicants, despite having reported the proposed beneficiary's situation to the Prosecutor's Office and other state entities, there is no information regarding the status of these complaints, which would indicate that domestic protection mechanisms have been activated or that the corresponding investigations have been carried out.

32. In this regard, as indicated above, the Commission does not have specific information provided by the State that would allow it to assess the actions that have been taken to address the alleged situation of risk. There is also no information available to indicate that the alleged situation has been properly mitigated or no longer exists.

33. The Commission considers that the requirement of irreparability has been met, insofar as the potential impact on the rights to life and personal integrity of the proposed beneficiaries constitutes the maximum situation of irreparability. The Commission emphasizes its concern that the risk situation described by the applicants is reportedly aimed at intimidating and thereby silencing the proposed beneficiary, hindering the exercise of his freedom of expression, as well as his activities as a human rights defender. In turn, this has a chilling effect on other journalists and human rights defenders to express themselves freely in the current context of the country.

34. Lastly, the Commission wishes to reiterate the importance of the work of human rights defenders in the region, placing special emphasis on the fact that acts of violence, criminalization and other attacks against them not only affect the guarantees of every human being, but also undermine the fundamental role that human rights defenders play in society and add to the defenselessness of all those for whom they work.¹⁶

IV. BENEFICIARIES

35. The Commission declares that the beneficiaries of this precautionary measure are Niober García Fournier and his nuclear family, who can be identified under the terms of Article 25.6.b) of the IACHR's Rules of Procedure.

V. DECISION

36. The Inter-American Commission on Human Rights considers that the present matter meets prima facie the requirements of seriousness, urgency and irreparable harm contained in Article 25 of its Rules of Procedure. Consequently, the IACHR request that the State of Cuba:

- a) implement the necessary measures to protect the rights to life and personal integrity of Mr. Niober García Fournier and his family. To this end, the State must ensure that its agents respect the life and personal integrity of the beneficiaries, as well as protect their rights in relation to acts of risk that are attributable to third parties, in accordance with the standards established by international human rights law;
- b) adopt the necessary measures to ensure that Mr. Niober García Fournier can carry out his activities as an independent journalist and human rights defender without being subjected to acts of violence, intimidation, harassment and detention in the exercise of his work. The foregoing includes the adoption of measures so that he can exercise his right to freedom of expression;
- c) agree upon the measures to be implemented with the beneficiaries and their representatives; and,
- d) report on the actions taken in order to investigate the alleged events that led to the adoption of this resolution with the aim of preventing their reoccurrence

¹⁶ IACHR. [Towards Effective Integral Protection Policies for Human Rights Defenders](#). OAS/Ser.L/V/II. Doc. 207/17. December 29, 2017. Para. 8; IACHR. [Situation of Human Rights in Cuba](#). OAS/Ser.L/V/II. Doc. 2. February 3, 2020. Para. 172.

37. The Commission requests the State of Cuba to inform, within a period of 15 days from the date of this resolution, on the adoption of the precautionary measures requested and to update such information periodically.

38. 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 prejudgment of any violation of the rights protected in the applicable instruments.

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

40. Approved on December 18, 2020 by: Joel Hernández García, President; Antonia Urrejola Noguera, First Vice-President; Flávia Piovesan, Second Vice-President; Margarette May Macaulay; Esmeralda Arosemena de Troitiño; Edgar Stuardo Ralón Orellana; and, Julissa Mantilla Falcón, members of the IACHR.

María Claudia Pulido
Acting Executive Secretary