
**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 12/2024**

Precautionary Measure No. 51-24

Cindy Vanessa Arenas Fernández and her family regarding Colombia¹

March 22, 2024

Original: Spanish

I. INTRODUCTION

1. On January 18, 2024, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received a request for precautionary measures filed by Alexander Montaña Narváez (“the requesting party” or “the applicant”), urging the Commission to require that the State of Colombia (“the State” or “Colombia”) adopt the necessary measures to protect the rights of Cindy Vanessa Arenas Fernández and her family (“the proposed beneficiaries”). According to the request, the proposed beneficiary is an indigenous woman who was the victim of an attempted femicide. In addition, she is allegedly being threatened and persecuted, as is her family unit, by the identified aggressor and people from his circle.

2. In accordance with Article 25(5) of its Rules of Procedure, the IACHR requested information from the State on January 22, 2024. On February 26, 2024, after requesting a timeline extension, the State presented its considerations. The applicant most recently provided additional information on February 12, 2024.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission considers that the information presented shows *prima facie* that the proposed beneficiary and her identified family are in a serious and urgent situation, given that their rights to life and personal integrity are at risk of irreparable harm. Therefore, based on Article 25 of its Rules of Procedure, the IACHR requires that the State of Colombia: a) adopt the necessary measures to protect the rights to life and personal integrity of Cindy Vanessa Arenas Fernández, Yu'usa Katleen Timaná Arenas, C.L.T.A. and H.S.S.T. with an intersectional approach that considers gender, ethnicity/race, and age, in accordance with the applicable international standards and obligations; b) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and c) report on the actions taken in order to investigate the alleged facts that gave rise to the granting of these precautionary measures, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. On November 3, 2022, the proposed beneficiary Cindy Vanessa Arenas Fernández, leader of the *Kwet Wala Indigenous Reserve* of Pradera, Valle del Cauca, was allegedly attacked while on her way to her residence. She reportedly received machete blows and suffered serious injuries to her head, left forearm, chest, and back. The request states that the aggressor, who was allegedly a member of the Army, had been arrested *in flagrante delicto* by the indigenous guard and handed over to state authorities for legalization of his capture and prosecution. However, he was reportedly released by the local justice system, without reported legal grounds and in violation of due process, and then allegedly placed in the custody of his father due to an alleged mental disorder. Notwithstanding, the aggressor once again threatened the proposed beneficiary and her

¹ In accordance with Article 17(2)(a) of the IACHR Rules of Procedure, Commissioner Carlos Bernal Pulido, a Colombian national, did not participate in the debate and deliberation of this matter.

daughters and granddaughter, Yu'usa Katleen Timaná Arenas (daughter, 21 years old), C.L.T.A. (daughter, 14 years old), and H.S.S.T. (granddaughter, 7 years old), as well as the witnesses of the case and all the people who were involved in his arrest.

5. Indigenous authorities, relatives of the proposed beneficiary, and others requested that the case be classified by the prosecutor's office responsible as an attempted "femicide," with the implementation of the protection measures derived from this type of crime. They argued that the aggressor had acted with prejudice and gender discrimination. The applicant indicated that, when assaulting Ms. Arenas Fernández, the perpetrator allegedly made statements such as "This is how I wanted to find you, you fucking bitch." However, the prosecutor in the case initially classified the act as attempted homicide, granting the proposed beneficiary "limited" and "ineffective" police protection since, "according to the police, they cannot go to the *vereda* (rural division) where the victim's residence is located 'due to grounds of public order'." Moreover, on December 14, 2022, the applicant filed a "request for a security or safety measure" against the aggressor, but was never granted concrete protection measures.

6. According to the request, the classification of the assault was changed to attempted femicide and the investigation was reassigned to a new prosecutor's office. However, there is still no progress in the investigation nor have adequate protection measures been implemented. "The seriousness of the omission and negligence of the [Office of the Attorney General] (FGN) lies in the fact that the victims are at risk, since the FGN has not taken any security or safety measures against the aggressor despite making death threats."

7. On August 4, 2023, the governor of the *Kwet Wala* indigenous cabildo, Luis Eduardo Timaná, was murdered on his way to his home in the rural division El Nogal. Mr. Timaná was allegedly responsible for the arrest of the proposed beneficiary's aggressor; he was also the father of proposed beneficiaries C.L.T.A., and Yu'usa Katleen Timaná Arenas. In this regard, the applicant alleged that Ms. Arenas Fernández and her family continue to live a situation that places them at risk, and indicated new events of persecution, threats, and harassment:

- November 21, 2023: the proposed beneficiary Arenas Fernández reportedly saw a person watching her house at night from a point near the outside shower. She therefore decided to lock herself in the house with her daughters and to not use the bathroom, which is located outside the house, at night. According to the proposed beneficiary, a person would only stand there if they had the intent of watching them.
- November 24, 2023: around 11:00 p.m., the proposed beneficiary C.L.T.A. reportedly heard someone pushing hard on the window, walking around the house, and making the dogs bark. This incident caused the teenager to panic and remain silent and locked in the house.
- December 10, 2023: in the early morning, the proposed beneficiary C.L.T.A. was going to the bathroom when she noticed a person hiding in the unoccupied house in front of her residence. The proposed beneficiaries requested support from the indigenous guard, who were not available and only advised them to stay inside their residence.
- December 16, 2023: Ms. Arenas Fernández received an anonymous message indicating that her assailant was in the rural division El Nogal, near her house. Furthermore, people who witnessed the events of aggression noticed friend requests from the alleged aggressor on social networks.
- December 18, 2023: an authority of the indigenous guard sent a message to the proposed beneficiary warning her to be careful, "since the aggressor -[...] - was nearby and might retaliate against the girls."

On the same day, the aggressor reportedly checked the proposed beneficiary's daughters' social networks.

- December 23, 2023: around 5:00 p.m., the proposed beneficiary Arenas Fernández noticed that the aggressor's sister was "intently watching" her home. Subsequently, she learned that the perpetrator reportedly arrived with his sister. During the course of the week, the proposed beneficiary C.L.T.A. noticed the aggressor walking around the *vereda* "on various occasions."
- December 31, 2023: indigenous guards told the proposed beneficiaries that the aggressor was reportedly in a nearby municipality and had allegedly looked at the guards "in an aggressive manner."

8. After these events, and knowing that the aggressor would go to the *vereda* for New Year's Eve, the proposed beneficiaries left their residence. During their displacement, they allegedly met with the aggressor, which caused them significant emotional distress. Subsequently, on January 4, 2024, the proposed beneficiary Yu'usa Katleen Timaná Arenas, who was with the child H.S.S.T., reportedly saw her mother/grandmother's aggressor on the street. After this incident, the proposed beneficiaries decided to relocate once again.

9. Regarding the alleged facts, the applicant indicated that "since December 19, 2023, requests for protection were made to the prosecutors in charge of the proceedings for the attempted femicide of Cindy Vanessa and the one in charge of the homicide of Luis Eduardo Timaná, but no response has been received to date." Given this situation, the applicant reports that the authorities remain inactive and are not implementing effective protection measures in favor of Ms. Arenas Fernández and her family unit.

10. In addition, the applicant highlighted that the situation that the proposed beneficiary face is also inserted in a context of conflict with dissident armed groups of the Revolutionary Armed Forces of Colombia (FARC), which, on March 17, 2023, and subsequently on August 14, 2023, issued threats that reached the *Kwet Wala* indigenous reservation, of which the proposed beneficiary is a community member. According to the applicant, the aforementioned murder of leader Luis Eduardo Timaná is potentially related to the actions of these armed groups.

11. On February 12, 2024, the applicant reported that the situation had not changed, given that no protection measures were being implemented by State bodies to prevent further attacks on the proposed beneficiary. The applicant added that, according to information provided by the indigenous guards, members of the police force participated in the murder of Mr. Timaná. This situation causes a lack of trust in the proposed beneficiaries in relation to the state authorities, who, for example, were not quick to remove the body of Mr. Timaná, despite the "repeated" calls from the indigenous community. In the same way, the judicial police of the Prosecutor's Office left the proposed beneficiary Yu'usa Katleen Timaná Arenas with apprehension when they requested that she hand over the cellphone belonging to her father, Luis Eduardo Timaná, insisting that she "go alone, that she not take anyone with her."

12. According to the applicant, in that scenario, on February 6, 2024, a police officer allegedly contacted the proposed beneficiary Arenas Fernández through a messaging app to reportedly "provide her with protection"; however, Ms. Arenas Fernández was too afraid to respond. Subsequently, on February 7, 8, and 9, 2024, she received calls from unknown numbers, and decided not to answer. On February 9, the proposed beneficiary answered one of the calls and noticed that the person on the other side hung up after hearing her voice. Given this situation, she chose not to answer calls from unknown numbers again. On February 12, 2024, a community member from her same indigenous community, *Kwet Wala* of Pradera, allegedly shared an audio with her in which a policeman asks about her. The request indicates that this situation "concerns her she does not understand the insistence of the police in wanting to 'provide protection' since, on

a previous occasion, during the days of the attempted femicide, the same police stated the impossibility of providing protection measures for the *vereda* El Nogal where the applicant resides, because it is an area of armed conflict.”

13. Considering the allegations presented, the applicant requested precautionary measures from this Commission to protect the life and personal integrity of the proposed beneficiary and her identified family unit, along with the efficient conduct of the investigations into the case.

B. Response from the State

14. In the report dated February 21, 2024, the State reported that, in view of the aggression that the proposed beneficiary Cindy Vanessa Arenas Fernández had experienced, an investigation is currently underway under the crime of “aggravated femicide”.

15. The State communicated that, according to the information provided by the National Police, on January 30, 2024, “the order for the implementation of preventive measures in favor of Ms. CINDY VANESSA ARENAS FERNÁNDEZ and her family was deployed” by means of which the “Pradera Police Station was ordered to implement institutional actions to safeguard the life and integrity of the citizen mentioned in the document and, according to the results, to establish urgent protection mechanisms.” At the same time, the State report states the following:

once the physical and electronic documents of the Pradera Police Station was reviewed, no formal request was found issued by the GENERAL NATIONAL PROSECUTOR'S OFFICE, regarding protection measures in favor of Ms. CINDY VANESSA ARENAS FERNÁNDEZ belonging to the KWET WALA indigenous cabildo, and likewise the person in reference has not informed this police unit of these possible threats.

16. In addition, it was alleged that the Protection and Special Services Section did not identify “information regarding threats and/or situations in which the possible violation of the rights to personal security, individual liberty, and integrity of the citizen mentioned in her request is evident”.

17. Regarding the murder of the governor of the *Kwet Wala* indigenous council, Luis Eduardo Timaná, the State confirmed that he was responsible for the capture of the proposed beneficiary’s aggressor and mentioned that two people suspected of the murder had been arrested.

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

18. The mechanism of precautionary measures 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 established in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the IACHR Statute. The mechanism of precautionary measures is set forth in Article 25 of the Commission’s Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid an irreparable harm to persons.

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, both protective and precautionary.² Regarding the protective nature, these measures seek

² Inter-American Court of Human Rights (I/A Court H.R.). Matter of the Yare I and Yare II Capital Region Penitentiary Center (Yare Prison). Request for Provisional Measures submitted by the IACHR regarding the Bolivarian Republic of Venezuela. Order of the

to avoid irreparable harm and protect the exercise of human rights.³ 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.⁴ Regarding their precautionary nature, these measures have the purpose of preserving legal situations while under the consideration of the IACHR. They aim to safeguard the rights at risk until the request 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 guarantee the ordered reparations.⁵ In the process of reaching a decision, and 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 those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt. The information provided should be assessed from a *prima facie* standard of review⁶ to determine whether a serious and urgent situation exists. Similarly, the Commission recalls that, by its own mandate, it is not called upon 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.⁷ This is better suited to be addressed

Inter-American Court of Human Rights of March 30, 2006, considerandum 5; I/A Court H.R. Matter of Carpio Nicolle et al. v. Guatemala. Provisional Measures. Order of July 6, 2009, considerandum 16.

³ I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 8; I/A Court H.R. Matter of Bámaca Velásquez. Provisional Measures regarding Guatemala. Order of the Court of January 27, 2009, considerandum 45; I/A Court H.R. Matter of Fernández Ortega et al. Provisional Measures regarding Mexico. Order of the Court of April 30, 2009, considerandum 5; I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina. Order of the Inter-American Court of Human Rights of November 23, 2017, considerandum 5.

⁴ I/A Court H.R. Matter of Milagro Sala. Request for Provisional Measures regarding Argentina. Order of the I/A Court H.R. of November 23, 2017, considerandum 5; I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 9; I/A Court H.R. Matter of the Criminal Institute of Plácido de Sá Carvalho. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of February 13, 2017, considerandum 6.

⁵ I/A Court H.R. Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center. Provisional Measures regarding Venezuela. Order of the Court of February 8, 2008, considerandum 7; I/A Court H.R. Matter of “El Nacional” and “Así es la Noticia” newspapers. Provisional Measures regarding Venezuela. Order of the Court of November 25, 2008, considerandum 23; I/A Court H.R. Matter of Luis Uzcátegui. Provisional Measures regarding Venezuela. Order of the Court of January 27, 2009, considerandum 19.

⁶ I/A Court H.R. Matter of Inhabitants of the communities of the Miskitu indigenous people of the North Caribbean Coast Region of Nicaragua. Extension of Provisional Measures. Order of the Inter-American Court of Human Rights of August 23, 2018, considerandum 13 [only in Spanish]; 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 provisional measures. Provisional Measures regarding Brazil. Order of the Inter-American Court of Human Rights of July 4, 2006, considerandum 23.

⁷ Inter-American Commission on Human Rights (IACHR). Resolution 2/2015. Precautionary Measure No. 455-13. Matter of Nestora Salgado regarding Mexico. January 28, 2015, para. 14; IACHR. Resolution 37/2021. Precautionary Measure No. 96/21. Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua. April 30, 2021, para. 33.

by the Petition and Case system. The following analysis relates exclusively to the requirements set forth in Article 25 of the Rules of Procedure, which can be resolved without making any determinations on the merits.⁸

21. This request seeks to protect Cindy Vanessa Arenas Fernández, leader of the *Kwet Wala Indigenous Reserve* of Pradera, Valle del Cauca, as well as her daughters and granddaughter Yu'usa Katleen Timaná Arenas (daughter, 21 years old), C.L.T.A. (daughter, 14 years old) and H.S.S.T. (granddaughter, 7 years old). According to the applicant, on November 3, 2022, Ms. Arenas Fernández experienced an attempted femicide, allegedly perpetrated by a member of the Army. Although the perpetrator was reportedly arrested *in flagrante delicto* and taken to the responsible authorities, he was released by the local justice system and reportedly continued to threaten and follow the proposed beneficiaries.

22. Preliminarily, the IACHR recalls the situation of special vulnerability which indigenous women face, in whom historical marginalization and social stigmas of ethno-racial and gender origin converge.⁹ In this sense, both the Court and the Inter-American Commission “have recognized that the various and intersectional forms of discrimination faced by indigenous women heighten their vulnerability to violence, promote the repetition of discrimination, and contribute to impunity for human rights violations committed against them.”¹⁰

23. In light of the foregoing, in analyzing the requirement of *seriousness*, the IACHR observes the allegations of the applicant indicating a series of events that have been placing the proposed beneficiaries at risk since November 21, 2023 (see *supra* paras. 7-8), and which have been repeated over time. The Commission highlights, at the time of qualifying the seriousness, that the examples narrated include at least:

- Being followed near Ms. Arenas Fernández’s residence which consequently involved her family, including her teenage daughter and her granddaughter who is a child;
- The presence of the identified aggressor in their daily whereabouts, which leads them to bump into each other “repeatedly”;
- The harassment by the alleged aggressor on social media, which extends to witnesses of the attack that took place on November 3, 2022;
- The fact that the proposed beneficiaries had to relocate twice.

24. The IACHR notes the particular seriousness of the alleged facts that indicate the proximity between the proposed beneficiaries and the alleged aggressor, who on December 31, 2023, they saw on the street while trying to run from him. It also takes into account the frequency with which they are observed; and the ongoing events that have placed them at risk even after relocating. The Commission believes that the foregoing generates that the proposed beneficiaries live in a daily scenario of potential risk, especially since the alleged persecution is reportedly carried out mainly by the person identified as the perpetrator of the attempted femicide.

⁸ 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 the Inter-American Court of Human Rights of August 29, 1998, considerandum 6; I/A Court H.R. Matter of Barrios Family v. Venezuela. Provisional Measures. Order of the Inter-American Court of Human Rights of April 22, 2021, considerandum 2 [only in Spanish].

⁹ IACHR. [Indigenous Women](#). OEA/Ser.L/V/II. April 17, 2017, para. 25.

¹⁰ IACHR. [Indigenous Women](#). OEA/Ser.L/V/II. April 17, 2017, para. 53.

25. In addition, the IACHR stresses the seriousness of the situation where a teenage girl and a child who, because of their age, are subject to special protection by the State.¹¹ It also attributes special seriousness to the allegation that the reported aggressor and alleged perpetrator of several threatening events described is a state agent (member of the military).¹²

26. In the matter at hand, the Commission takes note of the information provided by the State that, on January 30, 2024, the Pradera Police were ordered to implement preventive measures in favor of the proposed beneficiary Cindy Vanessa Arenas Fernández and her family unit. At the same time, it emphasizes that the State's own report included contradictory information on this point, stating that the Pradera Police Station did not identify any formal request in this regard (*see supra* para. 15). In this regard, the Commission notes that it does not have information on the concrete implementation of suitable protection measures in favor of the proposed beneficiary, although, according to the applicant, repeated requests and complaints have been filed regarding the risk described (*see supra* para. 9).

27. Furthermore, regarding the effective implementation of safety measures, the IACHR notes that the proposed beneficiary reportedly faced their rejection. It was alleged that the police stated that there were "reasons of public order" that reportedly prevent them from providing protection measures, presumably because the area where Ms. Arenas Fernández lives is a conflict zone. In this regard, while the Commission acknowledges the particular challenges that arise from conflict circumstances, it also observes that the State did not explain how the alleged new protection orders could be considered effective, given that the indicated context of conflict is ongoing, as evidenced by the murder of Mr. Timaná on August 4, 2023.

28. The IACHR believes that the lack of adequate protection measures in favor of the proposed beneficiaries is particularly serious given that the domestic institutions consider Ms. Cindy Vanessa Arenas Fernández to be the victim of an attempted femicide. In this regard, in light of the information submitted by both parties, it is noted that, following the reclassification of the criminal offense, no protective measures were adopted corresponding to the particularities of a gender-based crime. This situation is currently ongoing. Therefore, the Commission recalls the following:

pursuant to Article 7 (d) of the Convention of Belém do Pará, it is the duty of States to adopt adequate legal measures to compel the assailant to refrain from harassing, intimidating, threatening, harming or jeopardizing the life of the women in any way that undermines her physical integrity or harms her property, including granting restraining orders. It is essential for there to be smooth and effective coordination between State authorities responsible for follow-up and oversight of protection and prevention measures.¹³

29. At present, according to the information available, even though more than a year has passed since the attempted femicide, the investigation has not been concluded; nor has the existence of applicable criminal liability and the respective sanction been determined. In this regard,

it should be noted with particular emphasis that failure to comply with the duty of due diligence, especially with regard to the investigation, prosecution, and punishment of acts of gender-based violence "fosters an environment of impunity that facilitates and promotes the repetition of acts of violence in general and sends a message according to which violence against women can be tolerated and accepted, which favors their perpetuation and social acceptance of the phenomenon, the feeling and sense of

¹¹ IACHR. [Indigenous Women](#). OEA/Ser.L/V/II. April 17, 2017, para. 39.

¹² IACHR. [Resolution 25/2023](#). Precautionary Measure No. 61-23. Matter of Members of the Pataxó Indigenous People located in the Barra Velha and Comexatibá Indigenous Lands in the State of Bahia regarding Brazil. April 25, 2023, para. 51.

¹³ IACHR. [Standards and recommendations on violence and discrimination against women, girls and adolescents](#). OEA/Ser.L/V/II. November 14, 2019, para. 72.

insecurity of women, as well as a persistent distrust of them in the system of administration of justice”.¹⁴ In this context, the IACHR has pointed out that this state duty includes the obligation to adopt measures to prevent and respond to the discrimination that perpetuates this phenomenon.¹⁵

30. In view of the risk that the proposed beneficiaries face, in addition to the lack of implementation of adequate and effective protection measures in favor of the proposed beneficiaries, and in light of their particular situation of vulnerability given the intersection of gender, age, and ethnic-racial origin factors, as well as the context of armed conflict in which the facts take place, the Commission considers that the rights to life and personal integrity of Ms. Cindy Vanessa Arenas Fernández are *prima facie* at risk, under the terms of Article 25 of the IACHR Rules of Procedure. This assessment also applied to Yu’usa Katleen Timaná Arenas, C.L.T.A. and H.S.S.T., given the situations that have placed them at risk and possible reprisals.

31. Regarding the requirement of *urgency*, the IACHR considers that it is met, given that the repeated acts of threat, harassment, and being followed are incidents that show the possibility that the proposed beneficiaries may imminently face more situations that place them at risk. Therefore, the Commission advises on the need to adopt immediate protective measures, as well as to carry out the corresponding consultation measures.

32. As it pertains to the requirement of *irreparable harm*, the Commission finds it met, since the possible impact on the rights to life and personal integrity constitutes the maximum situation of irreparability.

IV. BENEFICIARIES

33. The IACHR considers as beneficiaries of these precautionary measures Ms. Cindy Vanessa Arenas Fernández and her family unit composed of Yu’usa Katleen Timaná Arenas, C.L.T.A. and H.S.S.T., who are fully identified in the request.

V. DECISION

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

- a) adopt the necessary measures to protect the rights to life and personal integrity of Cindy Vanessa Arenas Fernández, Yu’usa Katleen Timaná Arenas, C.L.T.A., and H.S.S.T., with an intersectional approach that considers gender, ethnicity/race, and age, in accordance with the applicable international standards and obligations;
- b) consult and agree upon the measures to be implemented with the beneficiaries and their representatives; and

¹⁴ I/A Court H.R. Matter of Gutiérrez Hernández et al. v. Guatemala. Preliminary Objections, Merits, Reparations, and Costs. Judgment of August 24, 2017. Series C No. 339, para. 176; IACHR. The Situation of the Rights of Women in Ciudad Juárez, Mexico: the Right to be Free from Violence and Discrimination OEA/Ser.L/V/II.117, Doc. 44. March 7, 2003, para. 7; IACHR. Complaint before the Inter-American Court of Human Rights, Case of Ivette González et al. (“Cotton Field”) v. Mexico. Case 12.496, 12.497 and 12.498. November 4, 2007, para. 151; IACHR. Report No. 170/11 Case 12.578. Merits. María Isabel Véliz Franco et al. Guatemala. 2011, para. 135; and IACHR. Report No. 72/14. Case 12.655. Merits. IV. Bolivia. 2014, para. 182.

¹⁵ IACHR. [Standards and recommendations on violence and discrimination against women, girls and adolescents](#). OEA/Ser.L/V/II. November 14, 2019, para. 59.

- c) report on the actions taken in order to investigate the alleged facts that gave rise to the granting of these precautionary measures, so as to prevent such events from reoccurring.

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

36. The Commission stresses that, pursuant to Article 25(8) of the Commission's Rules of Procedure, the granting of precautionary measures and their adoption by the State do not constitute a prejudgment regarding possible violation of the rights protected in the American Convention and other applicable instruments.

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

38. Approved on March 22, 2024 by Roberta Clarke, President; José Luis Caballero Ochoa, Second Vice-President; Edgar Stuardo Ralón Orellana; Arif Bulkan; Andrea Pochak; and Gloria Monique de Mees, members of the IACHR.

Jorge Meza Flores
Assistant Executive Secretary