

Jorge Vásquez Durand et al. v. Ecuador

ABSTRACT¹

This case is about the arrest, torture and disappearance of a Peruvian merchant who travelled to and from Ecuador during the so-called Cenepa War, a brief and localized military conflict between Ecuador and Peru, fought over control of an area near the border between the two countries fought between January 26 and February 28, 1995. The Court found Ecuador in violation of several articles of the American Convention.

I. FACTS

A. Chronology of Events

1993-1995: Mr. Jorge Vásquez Durand, a Peruvian merchant, travels between Ecuador and Peru two to three times a month to trade handicrafts.²

January 26, 1995: Mr. Vásquez Durand leaves his family to buy and sell craftwork in the Ecuador.³

January 27, 1995: Mr. Vásquez Durand enters Huaquillas, Ecuador.⁴ He and Mr. Mario Jesús Puente Olivera, a fellow merchant and friend, share a hostel in Otavalo, Ecuador.⁵ State authorities detain Mr. Puente Olivera to torture and interrogate him as to why he was in the State and who sent him.⁶ Mr. Puente Olivera provides Mr. Vásquez Durand's name.⁷

1. Pamela Huynh, Author; Raymond Chavez, Editor; Kimberly Barreto, Chief IACHR Editor; Cesare Romano, Faculty Advisor.

2. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 332, ¶ 67 (Feb. 15, 2017).

3. Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merit, Report No. 12/15, Inter-Am. Comm'n H.R., Case No. 11.458, ¶¶ 16-17, 57 (Mar. 23, 2015).

4. *Id.* ¶ 58.

5. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 68.

6. *Id.* ¶ 135 n. 192.

7. Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merits, ¶ 70.

January 28, 1995: Mr. Vásquez Durand decides to return to Peru due to the Cenepa War, a brief and localized military conflict between Ecuador and Peru, fought over control of an area near the border between the two countries.⁸

January 30, 1995: Mr. Vásquez Durand calls his wife, Ms. María Esther Gomero Cuentas de Vásquez, for the last time, concerned his merchandise will not pass through customs in Huaquillas.⁹ He crosses the International Bridge from the State to arrange transport for his merchandise.¹⁰ Mr. Vásquez Durand crosses the bridge again to the State to have the Ecuadorian migration office stamp his Peruvian passport.¹¹ The Ecuadorian Intelligence Service apprehends Mr. Vásquez Durand and does not provide a reason for his detention.¹²

February 13 and May 29, 1995: Ms. Gomero de Vásquez sends letters to the Director General of Consular Affairs in the Ministry of Foreign Affairs of Peru¹³, asking for help to secure release of her husband or for his remains to be delivered home.¹³

Mid-June 1995: Mr. Ernesto Humberto Alcedo Maulen, a Peruvian citizen, is detained for some time at the Teniente Ortiz military barracks. Mr. Alcedo Maulen sees Mr. Vásquez Durand at least six times “looking pretty down and out.”¹⁴ At the barracks, Mr. Alcedo Maulen is beaten, mistreated, and interrogated for information on the Peruvian military.¹⁵

June 15-16, 1995: Mr. Alcedo Maulen sees Mr. Vásquez Durand for the last time.¹⁶

8. The Cenepa War (January 26 – February 28, 1995), also known as the Alto Cenepa War, was a brief and localized military conflict between Ecuador and Peru, fought over control of an area near the border between the two countries in Peruvian territory, in the eastern side of the Cordillera del Cóndor, Province of Condorcanqui, Region Amazonas, Peru. *Id.*

9. Press Release, Inter-Am. Comm'n H.R., IACHR Takes Case involving Ecuador to the Inter-American Court ¶ 2 (Jul. 17, 2015), http://www.oas.org/en/iachr/media_center/PReleases/2015/079.asp.

10. Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merits, ¶ 17.

11. *Id.* at ¶¶ 17, 59.

12. *Id.*

13. *Id.* ¶ 74 n. 71, 77.

14. *Id.* ¶¶ 63-64; Vásquez Durand et al. v. Ecuador, Petition to the Court, Inter-Am. Comm'n H.R., Case No. 11.458, ¶ 2 (July 8, 2015).

15. Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merits, ¶ 65.

16. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 120.

June 19, 1995: Mr. Alcedo Maulen is released from the Teniente Ortiz military barracks.¹⁷

May 2007: The State creates a Truth Commission to investigate alleged human rights violations between 1984 and 2004.¹⁸

June 2010: The Truth Commission issues its Final Report, concluding the State subjected Mr. Vásquez Durand to torture, forced disappearance, and illegal deprivation of freedom.¹⁹

B. Other Relevant Facts

Since Ecuador seceded from Great Colombia in 1830, Ecuador and Peru have been involved in an 883-mile-long border dispute.²⁰ After four months of major clashes in 1941, Ecuador and Peru establish a border in 1942 by concluding the Rio Protocol, in which Ecuador conceded over 5,000 square miles.²¹ In 1946, new aerial photography revealed a Cenepa River watershed that was unaccounted for in the Rio Protocol.²² As a result, Ecuador halted demarcation in 1948 and denounced the Rio Protocol in 1960.²³ Sporadic violence at the border ensued.²⁴

This violence culminates on January 26, 1995, with the brief but deadly 1995 Border War in the Cenepa Valley.²⁵ Ecuador detained several Peruvian citizens during the conflict.²⁶ The United Nations Working Group on Enforced or Involuntary Disappearances reported three cases of forced disappearances of Peruvian citizens by Ecuador during the border war.²⁷ Ecuador's police and military remain largely unpunished for the disappearances.²⁸

17. *Id.*

18. *Vásquez Durand et al. v. Ecuador*, Official Court Summary Issued by the Inter-American Court, Inter-Am. Ct. H.R. (ser. C) No. 332, section 2 (Feb. 15, 2017).

19. *Id.*

20. BETH A. SIMMONS, *Territorial Disputes and Their Resolution – The Case of Ecuador and Peru* 10 (April 1999), <https://www.usip.org/sites/default/files/pwks27.pdf>.

21. *Id.*

22. *Id.*

23. *Id.* 10-11.

24. *Id.* 11.

25. *Id.* 12.

26. Press Release, Inter-Am. Ct. H.R.

27. *Vásquez Durand et al. v. Ecuador*, Admissibility Report and Report on Merits, ¶ 67.

28. *Id.* ¶ 81.

II. PROCEDURAL HISTORY

A. *Before the Commission*

March 9, 1995: Ms. Gomero de Vásquez submits a petition to the Inter-American Commission on Human Rights, alleging the State detained Mr. Vasquez Durand when he crossed the border from Peru and remains missing.²⁹

April 7, 1995: Ms. Gomero de Vásquez and the Association for Human Rights in Peru (Asociación Pro Derechos Humanos; “APRODEH”) present another petition on behalf of Mr. Vásquez Durand to the Commission.³⁰

1995-2011: The Commission periodically asks the petitioners and Ecuador to provide updates and information regarding Mr. Vásquez Durand’s alleged forced disappearance.³¹

February 28, 2011: The Commission warns the petitioners it is considering closing the case.³²

March 19, 2014: Mr. Jorge Vásquez, son of Mr. Vásquez Durand, asks the Commission to re-open the case.³³

March 23, 2015: The Commission issues a Report on Admissibility and Report on the Merits.³⁴ The State argues the petition is inadmissible because: (1) the petitioners failed to exhaust domestic remedies; (2) facts do not show a probability of violation of rights guaranteed by the American Convention; and (3) there is a lack of evidence of a forced disappearance.³⁵

The Commission notes the appropriate domestic remedy available to petitioners, a *habeas corpus* action, is ineffective for forced disappearances.³⁶ Moreover, a prerequisite for a *habeas corpus* action is knowledge of the victim’s location, and Mr. Vásquez Durand’s location

29. *Id.* ¶ 1.

30. *Id.*

31. *Id.* ¶¶ 7-14.

32. *Id.* ¶ 13.

33. Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merits, ¶ 15.

34. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 2.

35. Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merits, ¶¶ 24-26.

36. *Id.* ¶¶ 33, 38.

is unknown.³⁷ As of this date, the State is still conducting a preliminary investigation and has not reached any substantive findings.³⁸

Eventually, the Commission finds the State violated Articles 3 (Right to Juridical Personality), 4 (Right to Life), 5(1) (Right to Physical, Mental, and Moral Integrity), 5(2) (Prohibition of Torture, and Cruel, Inhumane or Degrading Treatment), 7 (Right to Personal Liberty), 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal), 25(1) (Right of Recourse Before a Competent Court) of the American Convention, in relation to Articles 1(1) (Obligation of Non-Discrimination) and 2 (Obligation to Give Domestic Legal Effect to Rights), and Articles 1 (Obligation to Adopt Measures) and 3 (Obligation to Adopt Legislative Measures) of the Inter-American Convention on Forced Disappearance of Persons.³⁹

The Commission recommends the State: (1) conduct an investigation into Mr. Vásquez Durand's whereabouts; (2) conduct domestic proceedings clarifying Mr. Vásquez Durand's forced disappearance; (3) make adequate reparations for the human rights violations; (4) adopt necessary measures to prevent future forced disappearances from occurring; (5) make a public acknowledgement of international responsibility; and (6) issue a public apology for Mr. Vásquez Durand's forced disappearance.⁴⁰

July 7, 2015: Although the State's Truth Commission concludes Mr. Vásquez Durand was detained and subjected to torture, forced disappearance, and illegal deprivation of liberty, the finding does not constitute a formal acknowledgment of international responsibility.⁴¹

B. Before the Court

July 8, 2015: The Commission submits the case to the Inter-American Court of Human Rights after the State failed to adopt its recommendations.⁴²

37. *Id.* ¶ 80.

38. *Id.* ¶ 40.

39. *Id.* ¶ 173.

40. *Id.* ¶¶ 1-5.

41. *Vásquez Durand et al. v. Ecuador*, Preliminary Objections, Merits, Reparations, and Costs, ¶ 49.

42. *Vásquez Durand et al. v. Ecuador*, Petition to the Court, ¶1.

1. Violations Alleged by Commission⁴³

To the detriment of Mr. Vásquez Durand:

Article 3 (Right to Juridical Personality)

Article 4 (Right to Life)

Article 5(1) (Right to Physical, Mental, and Moral Integrity)

Article 5(2) (Prohibition of Torture, and Cruel, Inhumane or Degrading Treatment)

Article 7 (Right to Personal Liberty)

Article 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal)

Article 25(1) (Right of Recourse Before a Competent Court)

all in relation to:

Article 1(1) (Obligation of Non-Discrimination)

Article 2 (Obligation to Give Domestic Legal Effect to Rights) of the American Convention

Article 1 (Obligation to Adopt Measures)

Article 3 (Obligation to Adopt Legislative Measures) of the the Inter-American Convention on Forced Disappearance of Persons.

To the detriment of Mr. Vásquez Durand's family members:⁴⁴

Article 5(1) (Right to Physical, Mental, and Moral Integrity)

Article 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal)

Article 24 (Right to Equal Protection)

all in relation to

Article 1(1) (Obligation of Non-Discrimination) of the American Convention.

2. Violations Alleged by Representatives of the Victims⁴⁵

To the detriment of Mr. Vásquez Durand:

43. Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merits, ¶¶ 172, 173.

44. Mr. Vásquez Durand's family members include his wife, Ms. Gomero Cuentas; son, Mr. Vásquez Gomero; daughter, Ms. Claudia Esther Vásquez Gomero; and his mother, María Durand, who died shortly after Mr. Vásquez Durand's forced disappearance. *Id.* ¶¶ 57, 73.

45. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 2. APRODEH served as representatives of Mr. Vásquez Durand.

Article 5 (Right to Humane Treatment)
Article 7 (Right to Personal Liberty)
Article 22 (Freedom of Movement and Residence) of the American Convention.

December 30, 2015: The State submits three preliminary objections: (1) the Court lacks temporal competence to hear violations of the Inter-American Convention on Forced Disappearances, since the alleged forced disappearance occurred eleven years before the State's ratification of the Convention; (2) the Court lacks material competence to use international humanitarian law; and (3) the Court lacked jurisdiction over the "subsidiary" of the Inter-American human rights system because the State has its own Reparation Program to address the issue.⁴⁶

February 3, 2016: The President of the Court granted the representatives of the victims access to the Victim's Legal Assistance Fund.⁴⁷

June 29, 2016: The Court calls the parties to a hearing and orders the submission of five expert opinions.⁴⁸

July 27 and 29, 2016: The Commission and the State submit the expert opinions.⁴⁹ The Commission withdraws one expert's opinion by affidavit.⁵⁰

August 23, 2016: The public hearing is held during the Court's 55th Special Session in Mexico City, Mexico.⁵¹

III. MERITS

A. *Composition of the Court*⁵²

Robert F. Caldas, President
Eduardo Ferrer Mac-Gregor Poisot, Vice-President
Eduardo Vio Grossi, Judge

46. *Id.* ¶ 7.

47. *Id.* ¶ 8.

48. *Id.* ¶ 10.

49. *Id.*

50. *Id.*

51. *Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs*, ¶ 10.

52. As an Ecuadorian national, Judge Patricio Pazmiño Freire did not participate in the deliberation of this case per Article 19.1 of the Rules of the Court. *Id.* n. *.

Humberto Antonio Sierra Porto, Judge
Elizabeth Odio Benito, Judge
Eugenio Raúl Zaffaroni, Judge

Pablo Saavedra Alessandri, Secretary
Emilia Segares Rodríguez, Deputy Secretary

B. Decision on the Merits

February 15, 2017: The Court issues its Judgment on Preliminary Objections, Merits, Reparations, and Costs.⁵³

The Court unanimously dismissed the State's three preliminary objections:

The Court lacked temporal competence to hear violations of the Inter-American Convention on Forced Disappearances since the alleged forced disappearance occurred eleven years before Ecuador's ratification of the Convention.⁵⁴

The Inter-American Convention on Forced Disappearances applies retroactively to facts that occurred before ratification.⁵⁵ Thus, the Court had temporal competence to hear the case.⁵⁶

The Court lacked material competence to use international humanitarian law:⁵⁷

The Court is allowed to refer to international humanitarian law when interpreting the Convention based on both Article 29(b) (Interpretation Cannot Restrict Rights Recognized by National Laws or Treaties) of the Convention and the general rules of treaty interpretation of the Vienna Convention on the Law of Treaties.⁵⁸

53. See generally Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs.

54. *Id.* ¶ 19.

55. *Id.* ¶ 25.

56. *Id.* ¶ 26.

57. *Id.* ¶ 27.

58. *Id.* ¶¶ 30, 32.

The Court lacked jurisdiction over the “subsidiarity” of the Inter-American human rights system because the State has its own Reparation Program to address this issue:⁵⁹

Although the State alleged it could resolve the victims’ claims through its Reparation Program, the Court noted that the State failed to utilize the program to help the parties in this case.⁶⁰ Additionally, the program was only available for victims, not alleged victims.⁶¹ Therefore, the Court found that the existence of the Reparations Program does not prevent the Court from hearing the case at hand.⁶²

The Court found unanimously that the State had violated:

Articles 7 (Right to Personal Liberty), 5(1) (Right to Physical, Mental, and Moral Integrity), 5(2) (Prohibition of Torture, and Cruel, Inhumane or Degrading Treatment), 4(1) (Prohibition of Arbitrary Deprivation of Life), and 3 (Right to Juridical Personality), in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, and Article 1(a) (Prohibition of Practicing, Tolerating or Permitting Forced Disappearances) of the Inter-American Convention on Forced Disappearance of Persons, to the detriment of Mr. Vásquez Durand,⁶³ because:

The State forced the disappearance of Mr. Vásquez Durand, and although State officials detained him, it refused to acknowledge his detention or reveal his whereabouts.⁶⁴ State officials failed even to register Mr. Vásquez Durand’s detention.⁶⁵ Additionally, the Court noted that with cases of forced disappearances, it uses evidence to infer victims suffer treatment contrary to the inherent dignity they deserve as human beings.⁶⁶ Based on this presumption and the testimony of other Peruvians detained by the State during the 1995 Border Conflict, the Court determined Mr. Vásquez Durand was tortured and interrogated.⁶⁷

59. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 33.

60. *Id.* ¶ 37.

61. *Id.* ¶ 38.

62. *Id.* ¶ 40.

63. *Id.* ¶ 248(2).

64. *Id.* ¶ 131.

65. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 134.

66. *Id.* ¶ 135.

67. *Id.*

Articles 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal) and 25(1) (Right of Recourse Before a Competent Court), in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, and Article 1(b) (Duty to Punish Forced Disappearances) of the Inter-American Convention on Forced Disappearance of Persons), to the detriment of Mr. Vásquez Durand, Ms. Gomero Cuentas, Mr. Vásquez Gomero, and Ms. Vásquez Gomero,⁶⁸ because:

The State failed to comply with its obligation of timely commencing an investigation into Mr. Vásquez Durand's forced disappearance.⁶⁹ Twenty-two years after his disappearance, the State's investigation is still in an early preliminary stage.⁷⁰ Furthermore, the State failed to conduct a sufficient search for Mr. Vásquez Durand.⁷¹ The Court noted the State should have implemented further measures to locate Mr. Vásquez Durand, such as inspecting the Teniente Ortiz military barracks, where he was last seen.⁷² Additionally, the State denied Mr. Vásquez Durand's wife and children the right to know the truth with its failure to disclose Mr. Vásquez Durand's whereabouts.⁷³

Articles 5(1) (Right to Physical, Mental, and Moral Integrity) and 5(2) (Prohibition of Torture, and Cruel, Inhumane or Degrading Treatment), in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Gomero Cuentas, Mr. Vásquez Gomero, and Ms. Vásquez Gomero,⁷⁴ because:

The State failed to rebut the juris tantum that spouses and children suffer psychologically and emotionally from forced disappearances.⁷⁵ This anguish is compounded by a State's refusal to provide information on the forced disappearance or conduct an investigation as to the forced disappearance.⁷⁶ Ms. Gomero Cuentas, Mr. Vásquez Gomero, and Ms. Vásquez Gomero endured uncertainty, suffering, and anguish, which was

68. *Id.* ¶ 248(3).

69. *Id.* ¶ 152.

70. *Id.* ¶ 163.

71. *Vásquez Durand et al. v. Ecuador*, Preliminary Objections, Merits, Reparations, and Costs, ¶ 158.

72. *Id.* ¶ 157.

73. *Id.* ¶ 167.

74. *Id.* ¶ 248(4).

75. *Id.* ¶ 182.

76. *Id.*

*detrimental to their physical, mental, and moral integrity.*⁷⁷ For example, Ms. Vásquez Gomero sought treatment because she had a psychological disorder causing her hair to fall out.⁷⁸

The Court unanimously dismissed the claims of violations of:

Article 25(1) (Right of Recourse Before a Competent Court) of the Convention, in relation to Articles 1(1) (Obligation of Non-Discrimination) and 2 (Obligation to Give Domestic Legal Effect to Rights) of the Convention,⁷⁹ because:

*The petitioners did not file a writ of habeas corpus as they believed it would not be effective.*⁸⁰

Article 3 (Obligation to Adopt Legislative Measures) of the Inter-American Convention on Forced Disappearance of Persons,⁸¹ because:

*The State adopted legislative measures necessary to criminalize forced disappearances.*⁸²

Articles 5(1) (Right to Physical, Mental, and Moral Integrity) and 5(2) (Prohibition of Torture, and Cruel, Inhumane or Degrading Treatment) of the Convention, in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Durand,⁸³ because:

*Ms. Durand suffered a stroke and died within months of Mr. Vásquez Durand's disappearance, without knowledge of her son's forced disappearance.*⁸⁴

C. Dissenting and Concurring Opinions

[None]

77. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 183.

78. *Id.* ¶ 183 n.250.

79. *Id.* ¶ 248(5).

80. *Id.* ¶ 171.

81. *Id.* ¶ 248(6).

82. *Id.* ¶ 180.

83. Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, ¶ 248(7).

84. *Id.* ¶ 184.

IV. REPARATIONS

The Court ruled unanimously that the State had the following obligations:

A. Specific Performance (Measures of Satisfaction and Non-Repitition Guarantee)

1. Judgment as a Form of Reparation

The Court noted that the Judgment itself is a form of reparation.⁸⁵

2. Investigations and Punishment

The Court ordered the State to continue or initiate investigations to determine the facts of Mr. Vásquez Durand's forced disappearance and identify and punish the perpetrators.⁸⁶ Moreover, the Court noted the State would not be able to grant the perpetrators amnesty.⁸⁷

3. Locate Mr. Vásquez Durand

The Court ordered the State to conduct a rigorous search, in coordination with Mr. Vásquez Durand's relatives, to determine Mr. Vásquez Durand's whereabouts.⁸⁸ If the State determined that Mr. Vásquez Durand is deceased, it must deliver his remains to his relatives to provide them closure.⁸⁹

4. Publication of Judgment

The Court ordered the State to publish the official summary of the Judgment in both the official gazette and a nationally-circulated newspaper within six months of the issuance of the Judgment.⁹⁰ Additionally, the Court required the State to post the entire Judgment for at least a year on the website of the Ministry of Justice, Human Rights, and Religions.⁹¹

85. *Id.* ¶ 248(8).

86. *Id.* ¶ 203.

87. *Id.*

88. *Id.* ¶ 210.

89. *Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs*, ¶¶ 209-10.

90. *Id.* ¶ 212.

91. *Id.*

5. Compliance Report

The Court ordered the State to submit a report stating the measures it adopted to comply with the Judgement within one year of the issuance of the Judgment.⁹²

B. Compensation

The Court awarded the following amounts:

1. Pecuniary Damages

The Court awarded Ms. Gomero Cuentas \$25,000, Mr. Vásquez Gomero \$12,500, and Ms. Vásquez Gomero \$12,500 for Mr. Vásquez Durand's lost wages.⁹³

2. Non-Pecuniary Damages

The Court awarded Ms. Gomero Cuentas, Mr. Vásquez Gomero, and Ms. Vásquez Gomero \$7,500 each for medical, psychological, psychiatric, and other related expenses.⁹⁴ Moreover, the Court awarded Ms. Gomero Cuentas \$15,000 for expenses she incurred in her attempts to find her husband.⁹⁵

Additionally, the Court ordered Mr. Vásquez Durand \$80,000 in non-pecuniary damages, with half the amount paid to Ms. Gomero Cuentas, and a quarter paid to each Mr. Vásquez Gomero and Ms. Vásquez Gomero.⁹⁶ Furthermore, the Court awarded Ms. Gomero Cuentas, Mr. Vásquez Gomero, and Ms. Vásquez Gomero each \$45,000 in non-pecuniary damages.⁹⁷

3. Costs and Expenses

The Court awarded APRODEH \$25,000 for litigation costs and expenses.⁹⁸ Additionally, the Court ordered the State to pay, within six

92. *Id.* ¶ 248(15).

93. *Id.* ¶ 230.

94. *Id.* ¶ 216.

95. *Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs*, ¶ 228.

96. *Id.* ¶ 233.

97. *Id.* ¶ 234.

98. *Id.* ¶ 238.

months of the Judgment, the Legal Assistance Fund for Victims of the Court \$1,674.35 for expenses incurred.⁹⁹

4. Total Compensation (including Costs and Expenses ordered):

\$ 329,174.35

C. Deadlines

Within six months of the issuance of the Judgment, the State must publish the official summary of the Judgment.¹⁰⁰ Additionally, within six months, the State must pay the Victim's Legal Assistance Fund for expenses incurred.¹⁰¹ The State has one year to submit a compliance report to the Court.¹⁰² Also, the State must pay the pecuniary damages, non-pecuniary damages, costs, and expenses within one year of the issuance of the Judgment.¹⁰³

V. INTERPRETATION AND REVISION OF JUDGMENT

[NONE]

VI. COMPLIANCE AND FOLLOW-UP

[None]

VII. LIST OF DOCUMENTS

A. Inter-American Court

1. Preliminary Objections

[None]

99. *Id.* ¶ 241.

100. *Id.* ¶ 212.

101. *Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs*, ¶ 241.

102. *Id.* ¶ 248(15).

103. *Id.* ¶ 242.

2. Decisions on Merits, Reparations and Costs

[Vásquez Durand et al. v. Ecuador, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. \(ser. C\) No. 332 \(Feb. 15, 2017\).](#)

[Vásquez Durand et al. v. Ecuador, Official Court Summary Issued by the Inter-American Court, Inter-Am. Ct. H.R. \(ser. C\) No. 332 \(Feb. 15, 2017\).](#)

3. Provisional Measures

[Vásquez Durand et al. v. Ecuador, Provisional Measures, Order of the President, Inter-Am. Ct. H.R. \(ser. E\) \(Feb. 3, 2016\).](#)

[Vásquez Durand et al. v. Ecuador, Provisional Measures, Order of the President, Inter-Am. Ct. H.R. \(ser. E\) \(June 29, 2016\).](#)

4. Compliance Monitoring

[None]

5. Review and Interpretation of Judgment

[None]

B. Inter-American Commission

1. Petition to the Commission

[Not Available]

2. Report on Admissibility

[Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merit, Report No. 12/15, Inter-Amer. Comm'n H.R., Case No. 11.458 \(Mar. 23, 2015\).](#)

3. Provisional Measures

[None]

4. Report on Merits

[Vásquez Durand et al. v. Ecuador, Admissibility Report and Report on Merit, Report No. 12/15, Inter-Amer. Comm'n H.R., Case No. 11.458 \(Mar. 23, 2015\).](#)

5. Application to the Court

[Vásquez Durand et al. v. Ecuador, Petition to the Court, Inter-Am. Comm'n H.R., Case No. 11.458 \(July 8, 2015\).](#)

VIII. BIBLIOGRAPHY

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