

Perrone and Preckel v. Argentina

ABSTRACT¹

This case is about two employees of a governmental agency who were arbitrarily arrested and detained during Argentina’s 1976 coup. When democracy returned to the country, they sought to recover compensation for the years they were absent from work due to their detention. Eventually, the Court found Argentina in violation of the American Convention only due to the excessive length of the administrative and judicial proceedings.

I. FACTS

A. Chronology of Events

March 24, 1976: A right-wing military junta stages a government coup, seizing control of the Republic of Argentina.² During this time, individuals acting on behalf of the State detain, interrogate, and torture suspected dissidents.³

July 1976: Ms. Elba Clotilde Perrone and Mr. Juan José Preckel are employees of the General Tax Directorate (*Dirección General Impositiva*; “DGI”), a division of the Argentinian government responsible for the oversight of state taxation.⁴

July 6, 1976: A group of State actors forcibly enter the separate residences of Ms. Perrone and Mr. Preckel, in Mar Del Plata, Buenos Aires.⁵ State agents beat both victims and accuse them of committing subversive

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2. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 384, ¶ 55 (Oct. 08, 2019).

3. *Id.* ¶ 55-56.

4. Perrone and Preckel v. Argentina, Report on Merits, Report No. 21/17, Inter-Am. Comm’n H.R., Case No. 11.738, ¶ 17 (Mar. 18, 2017).

5. *Id.* ¶ 18.

acts against the State.⁶ The victims are taken to different military detention centers where they are detained.⁷ During the time the victims are detained, they are repeatedly subjected to acts of torture, including beatings, death threats, deprivation of food and medical care, and electric shocks to their genitals, mouth and chest.⁸

July 8, 1976: The DGI initiates administrative investigations against Ms. Perrone and Mr. Preckel due to their unexcused absences from work, pursuant to Article 36 of the Regulation on Investigations of Public Servants.⁹

July 27, 1976: The DGI contacts the Air Defense Artillery Division, (*Agrupación de Artillería de Defensa Aérea*; “AADA”) to report Ms. Perrone and Mr. Preckel’s absences from work and argues their absences should be classified as unexcused and they should be terminated from employment.¹⁰ The AADA confirms that both victims are being detained by military authorities.¹¹

August 10, 1976: The DGI preventively suspends Ms. Perrone and Mr. Preckel from employment based on the fact they were both in detention.¹²

April 10, 1979: The DGI Board of Discipline recommends that both victims be terminated from employment.¹³ However, the Director of Technical and Legal Affairs declares that the investigations shall be suspended until each individual is available to testify.¹⁴

B. Facts Relating to Ms. Perrone

October 16, 1982: Ms. Perrone is released from detention and placed on supervised probation.¹⁵

6. Perrone and Preckel v. Argentina, Report on Merits, ¶ 18.

7. *Id.* ¶ 19.

8. *Id.*

9. *Id.* ¶ 26.

10. *Id.* ¶ 27.

11. *Id.*

12. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs ¶ 64.

13. Perrone and Preckel v. Argentina, Report on Merits, ¶ 30.

14. *Id.* ¶ 31.

15. Perrone and Preckel v. Argentina, Admissibility Report, Report No. 67/99, Inter-Am. Comm’n H.R., Case No. 11.738, ¶ 10 (May 4, 1999).

October 20, 1982: Ms. Perrone returns to her position of employment with the DGI.¹⁶

April 27, 1983: Ms. Perrone files an administrative claim against the DGI, and requests compensation for lost wages and employee benefits for her time spent in detention.¹⁷ Additionally, she claims she was never notified of the prior administrative investigation proceeding against her.¹⁸

May 26, 1984: The Department of Legal Counsel of the DGI issues an advisory opinion and declares Ms. Perrone must be compensated for her lost wages because there was no evidence she committed subversive acts against the State.¹⁹

October 16, 1984: Following the restoration of the democratic regime, the Director General of the DGI formally closes the administrative proceeding against Ms. Perrone, on the basis that no criminal charges have been levied against her.²⁰

May 28, 1985: The Directorate of Technical and Legal Affairs of the DGI issues a concurring opinion in favor of compensating Ms. Perrone for her lost wages.²¹ However, the Directorate recommends that the case be referred to the Office of the Chief Legal Counsel of the Nation based on lack of precedent and the uniqueness of Ms. Perrone's case.²²

C. Facts Relating to Mr. Preckel

August 7, 1979: Mr. Preckel is transferred to the Department of Foreign Affairs of the Federal Police; Amnesty International and the German Embassy help him secure a visa to leave the country in exile pursuant to Decree No. 2664.²³

September 7, 1979: Mr. Preckel travels to Germany in exile and applies for political asylum.²⁴

16. Perrone and Preckel v. Argentina, Report on Merits, ¶ 32.

17. *Id.* ¶ 36.

18. *Id.* ¶ 32.

19. *Id.* ¶ 37.

20. *Id.* ¶ 34.

21. *Id.* ¶ 39.

22. Perrone and Preckel v. Argentina, Report on Merits, ¶ 40.

23. *Id.* ¶ 22.

24. *Id.*

February 20, 1984: While in exile in Germany, Mr. Preckel files a request before the DGI seeking reinstatement to his former position of employment.²⁵

September 7, 1984: The DGI Chief of Human Resources orders Mr. Preckel's reinstatement to his job after concluding there is no evidence he committed subversive acts against the State.²⁶

February 4, 1985: After returning to Argentina, Mr. Preckel resumes employment at the DGI.²⁷

July 2, 1985: Mr. Preckel files an administrative claim against the DGI requesting compensation for lost wages and employment benefits for the period in which he was unlawfully detained, subsequently exiled, and unable to return to work.²⁸

July 1985: Mr. Preckel joins suit with Ms. Perrone.²⁹

July 24, 1985: The General Directorate of Legal Affairs of the Ministry of Economy agrees with the Department of Legal Counsel's advisory opinion and issues a similar recommendation to compensate Ms. Perrone and Mr. Preckel for lost wages because the conditions preventing them from returning to work were beyond their control.³⁰ Taking into account the economic interests involved and the potential administrative legal precedents that may result in this case, the Directorate requests intervention by the Chief Legal Counsel of the Nation.³¹

September 19, 1986: The Office of the Chief Legal Counsel of the Nation recommends both petitions for lost wages be denied.³² This recommendation is based on the fact that although their claims might be admissible under the Collective Labor Agreement No. 46/75 and the statute approved under Decree Law 6666/57, neither applied.³³ Instead, the Chief Legal Counsel applies Circular No. 5/77, which restricted payment for

25. Perrone and Preckel v. Argentina, Report on Merits, ¶ 33.

26. *Id.*

27. *Id.* ¶ 35.

28. *Id.* ¶ 44.

29. Perrone and Preckel v. Argentina, Admissibility Report, ¶ 11.

30. Perrone and Preckel v. Argentina, Report on Merits, ¶ 41.

31. *Id.* ¶ 43.

32. *Id.* ¶ 45.

33. Perrone and Preckel v. Argentina, Admissibility Report, ¶ 11.

unperformed services to certain instances where an express provision of law authorizes such compensation.³⁴

March 19, 1987: In accordance with the recommendation made by the Office of the Chief Legal Counsel of the Nation, the Director General of the DGI issues Resolution No. 75/87 and denies Ms. Perrone's request for lost wages.³⁵ Resolution No. 75/87 specifies Ms. Perrone is entitled to her employee benefit rights and thus, she should seek resolution with the Union of Employee Benefits (Caja de Previsión).³⁶

December 17, 1987: The Director General of the DGI issues Resolution No. 1217 and denies Mr. Preckel's petition for the same reasons Ms. Perrone's petition was denied.³⁷

June 24, 1988: Ms. Perrone and Mr. Preckel file complaints, respectively, against the DGI before the federal court.³⁸ Both claims are based on Article 14c of the Rules on Leaves of Absence, Justifications, and Exemptions of the National Public Administration, which provides that employees may receive compensation for lost wages if their absence from work was caused by proven instances of force majeure.³⁹

Ms. Perrone's complaint establishes her demand to be compensated for lost wages between July 6, 1976 to October 19, 1982, a credit for all unused leaves of absence that she accrued but did not use, and recognition of her employment position on the seniority roster in order to receive employment benefits.⁴⁰

Mr. Preckel's complaint demands payment for lost wages from July 6, 1976 to February 4, 1985, recognition of his seniority for purposes of employment benefits, his share in the Stimulus Fund, and a credit for all unused leaves of absence that he accrued but did not use.⁴¹

February 6, 1992: The Federal Judge of the Judicial Power of the Nation denies Ms. Perrone and Mr. Preckel's claims and holds that the DGI cannot be financially responsible for any harm arising from the victims' unlawful detainment because the DGI was not responsible for ordering such

34. Perrone and Preckel v. Argentina, Report on Merits, ¶ 45.

35. *Id.* ¶ 46.

36. *Id.*

37. *Id.* ¶ 47.

38. *Id.* ¶ 48.

39. *Id.* ¶ 49.

40. Perrone and Preckel v. Argentina, Report on Merits, ¶ 51.

41. Perrone and Preckel v. Argentina, Admissibility Report, ¶ 12.

detention.⁴² Moreover, the rules established in Circular No. 5/77 specifically prohibit compensation for lost wages, which neither victim contested.⁴³

Mr. Preckel files an appeal against the Judicial Power of the Nation before the Chamber of Appeals arguing that specific instances exist outside of Circular No. 5/77 in which wages should be paid for unperformed services.⁴⁴ Further, Article 14c of the Regulation on Leaves of Absence, Justifications and Exemptions of the National Public Administration provides the legal basis for this exception.⁴⁵

May 6, 1992: Ms. Perrone files an appeal against the Judicial Power of the Nation before the Chamber of Appeals reiterating that the legislation at the time permits compensation of lost wages when the absences involved were caused by special cases of *force majeure*.⁴⁶

November 24, 1992: The Chamber of Appeals rejects Mr. Preckel's appeal and upholds the trial court's decision.⁴⁷ This decision explains the DGI is a self-governing State entity and not responsible for the redress for damages as a result of potentially unlawful conduct by the National Executive Branch.⁴⁸

Mr. Preckel subsequently requests leave to appeal the decision to the Supreme Court of Argentina, however, his request is denied.⁴⁹

September 21, 1993: The Chamber of Appeals reverses the trial court's decision in Ms. Perrone's case, reasoning that unlawful detention without due process or disciplinary responsibility qualifies as an incidence of *force majeure*.⁵⁰ The Chamber of Appeals explains a strict application of the rules would lead to an inequitable result, and the proposed solution to compensate Ms. Perrone for lost wages is consistent with constitutional guarantees.⁵¹ Finally, the Chamber of Appeals rejects Ms. Perrone's

42. Perrone and Preckel v. Argentina, Report on Merits, ¶ 52.

43. *Id.*

44. *Id.* ¶ 53.

45. *Id.*

46. *Id.* ¶ 58.

47. *Id.* ¶ 54.

48. Perrone and Preckel v. Argentina, Report on Merits, ¶ 54.

49. *Id.* ¶ 55-56.

50. *Id.* ¶ 59.

51. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs ¶ 97.

request to adjust her position on the seniority roster and her request for unused employment benefits.⁵²

October 15, 1993: The DGI appeals the Chamber of Appeals's decision in Ms. Perrones's case to the Supreme Court.⁵³ The DGI alleges that Ms. Perrone's absences cannot be justified by *force majeure* because the circumstances of her absence were wholly unconnected to the DGI.⁵⁴

Similarly, Mr. Preckel files an extraordinary appeal before the Supreme Court arguing that the Chamber of Appeals erred in its ruling in his case.⁵⁵

May 21, 1996: The Supreme Court declares the DGI's petition is admissible and after analyzing the merits of Ms. Perrone's case, the Supreme Court reverses the judgment issued by the Chamber of Appeals.⁵⁶ This decision explains there are no existing legal provisions that provide an exception to the rule prohibiting the payment of wages for unperformed services.⁵⁷

On the other hand, the Supreme Court declares Mr. Preckel's petition inadmissible and rejects his entire claim without analyzing the merits of his case.⁵⁸ The Supreme Court notes its decision is based solely on Article 280 of the Code of Civil and Commercial Procedure of the Nation.⁵⁹

D. Other Relevant Facts

January 2, 1992: As a consequence of the human rights violations the State committed during the dictatorship in Argentina from 1976 to 1983, the State enacts Law 24.043, which provides benefits to civilians who were subjected to unlawful detention by the National Executive Power during the regime, if they had not yet received compensation through a judicial ruling.⁶⁰

52. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs ¶ 98.

53. Perrone and Preckel v. Argentina, Report on Merits, ¶ 62.

54. *Id.*

55. *Id.* ¶ 57.

56. *Id.* ¶ 63.

57. *Id.*

58. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs ¶ 93.

59. Perrone and Preckel v. Argentina, Report on Merits, ¶ 57.

60. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs ¶ 102.

July 15, 1994: The State issues Resolution No. 2294, which effectively grants indemnification compensation for individuals detained by the government during the reign of the military regime.⁶¹ Mr. Preckel receives the value of 2,647 days of payment for the period he was detained, from July 30, 1976 to October 28, 1983.⁶² This compensation is unconnected to Mr. Preckel's petition for payment of lost wages.⁶³

July 25, 1995: Under Resolution No. 203, Ms. Perrone also receives indemnification compensation for her time spent in detention by government officials during the reign of the military regime.⁶⁴ She receives the value of 2,534 days of payment for the period she was detained, from August 17, 1976 to July 25, 1983.⁶⁵ However, this compensation is unconnected to Ms. Perrone's petition for payment of lost wages.⁶⁶

II. PROCEDURAL HISTORY

A. Before the Commission

December 23, 1996: The Permanent Assembly for Human Rights files a petition on behalf of Ms. Perrone with the Inter-American Commission on Human Rights ("Commission").⁶⁷

January 13, 1997: The Permanent Assembly for Human Rights files a petition on behalf of Mr. Preckel with the Commission.⁶⁸ The Commission joins the two cases because they focus on similar incidents of identical patterns of conduct.⁶⁹

The State argues the petition is inadmissible because both victims failed to exhaust all available domestic remedies and they both received compensation under Law No. 24.043 for the deprivation of liberty and bodily harm inflicted upon them, which satisfied their claims for reparation as a result of the violation of their human rights.⁷⁰

61. Perrone and Preckel v. Argentina, Report on Merits, ¶¶ 23; 25.

62. *Id.* ¶ 25.

63. *Id.* ¶ 23.

64. *Id.* ¶ 23-24.

65. *Id.* ¶ 24.

66. *Id.* ¶ 23.

67. Perrone and Preckel v. Argentina, Report on Merits, ¶ 1.

68. *Id.*

69. Perrone and Preckel v. Argentina, Admissibility Report, ¶ 5.

70. *Id.* ¶¶ 21; 26.

May 4, 1999: The Commission issues Admissibility Report No. 67/99, which declares the petition admissible.⁷¹

March 18, 2017: The Commission issues Merits Report No. 21/17.⁷² The Commission concludes the State is responsible for violating rights to a fair trial and judicial protections provided in 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) of the American Convention on Human Rights, in relation to Article 1(1) (Obligation of Non-Discrimination) of the same instrument, to the detriment of Ms. Perrone and Mr. Preckel.⁷³

In light of the foregoing violations, the Commission recommends the State: (1) ensure the victims receive effective judicial recourse in compliance with the guarantees under due process; and (2) in the event the victims no longer wish to pursue a judicial remedy, adopt measures to ensure they receive appropriate reparations for the denial of justice.⁷⁴

B. Before the Court

October 19, 2017: The Commission submits the case to the Court after the State failed to adopt its recommendations.⁷⁵

July 4, 2018: The State raises two preliminary objections arguing that: (1) the Court lacks temporal competence regarding the petitions for restitution; and (2) the victims failed to exhaust all available domestic remedies.⁷⁶

1. Violations Alleged by Commission⁷⁷

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:

71. Perrone and Preckel v. Argentina, Admissibility Report, ¶ 3.

72. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, ¶ 2(d).

73. Perrone and Preckel v. Argentina, Report on Merits, ¶ 4.

74. *Id.* ¶ 97.

75. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, ¶ 2(f)-(g).

76. *Id.* ¶ 13.

77. Perrone and Preckel v. Argentina, Report on Merits, ¶ 95.

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

2. Violations Alleged by Representatives of the Victims⁷⁸

Same Violations Alleged by the Commission, plus:

Article 24 (Right to Equal protection)

in relation to:

Article 1(1) (Obligation of Non-Discrimination) and Article 2 (Obligation to Give Domestic Legal Effect to Rights) of the American Convention

III. MERITS

A. *Composition of the Court*⁷⁹

Eduardo Ferrer Mac-Gregor Poisot, President

Eduardo Vio Grossi, Vice President

Humberto Antonio Sierra Porto, Judge

Elizabeth Odio Benito, Judge

L. Patricio Pazmiño Freire, Judge,

Ricardo Pérez Manrique, Judge

Pablo Saavedra Alessandri, Secretary

B. *Decision on the Merits*

October 8, 2019: The Court issues its Judgment on Merits, Reparations, and Costs.⁸⁰

The Court found unanimously:

To admit Argentina's first preliminary objection,⁸¹ because:

78. Perrone and Preckel v. Argentina, Admissibility Report, ¶ 2.

79. Judge Eugenio Raúl Zaffaroni, an Argentine national, did not participate in the deliberation of the judgment. *See generally* Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, p. 1.

80. *Id.*

81. *Id.* “decide” ¶ 1.

The Court concluded it lacked the proper competence to analyze the facts relating to Ms. Perrone's arrest and unlawful detention and Mr. Preckel's the arrest and subsequent exile.⁸² This decision required the Court to consider several factors including the date the State recognized the jurisdiction of the Court and the principle of non-retroactivity established under Article 28 of the Vienna Convention on the Law of Treaties of 1969.⁸³ First, Argentina recognized the Court's contentious jurisdiction on September 5, 1984 and indicated that the Court has jurisdiction over all facts that occurred after such ratification.⁸⁴ Thus, the Court held it could not exercise contentious competence relating to the victims' claims based on the State's conduct that took place prior to its acknowledgment of competence.⁸⁵

Second, the Court noted all administrative and judicial proceedings took place after the date of ratification of the Convention.⁸⁶ Therefore, although the Court lacked competence to analyze the facts relating to detention and exile, it could examine facts relating to the processes initiated by each alleged victim in the domestic jurisdiction to determine whether the State fulfilled its obligations regarding the rights to judicial protections and guarantees established in Convention.⁸⁷

To dismiss Argentina's second preliminary objection,⁸⁸ because:

The Court concluded it was not unreasonable for the victims to seek redress for unpaid wages through administrative and judicial channels, rather than pursuing a civil action against the State.⁸⁹ The Court explained the State did not meet the standards necessary to argue lack of exhaustion of domestic remedies and noted the State's excessive delay in processing both cases.⁹⁰

82. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, ¶ 25.

83. *Id.* ¶ 18.

84. *Id.* ¶ 19.

85. *Id.*

86. *Id.* ¶ 23.

87. *Id.*

88. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, "decide" ¶ 2.

89. *Id.* ¶ 39-40.

90. *Id.* ¶ 40.

The Court found unanimously that Argentina had not violated:

Article 8 (Right to a Fair Trial) and Article 25 (Right to Judicial Protection) in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Perrone and Mr. Preckel⁹¹ because:

States have a duty to guarantee effective judicial remedies against acts that violate a person's fundamental rights, which includes a duty to protect a person's right to be tried by reasons based in law.⁹² The Court has long established that analysis of a judicial appeal requires a detailed examination of the merits of each respective case including arguments of all parties in accordance with the Convention.⁹³

In this case, the Court found both victims went through two channels: administrative and judicial, and in each proceeding, the examining authority rendered thoughtful decisions predicated upon a thorough examination of the facts.⁹⁴ Further, the Chamber of Appeals and the Supreme Court examined all facts, allegations, and arguments that both parties presented, and provided sufficient insight into their reasoning.⁹⁵ Finally, both of the final judicial decisions rejected the victims' petitions for lost wages based on internal regulations that indicated there was no avenue to receive compensation for unperformed services.⁹⁶

Therefore, the Court held Ms. Perrone and Mr. Preckel were provided with sufficient access to effective judicial remedies, and the judicial authorities properly examined each case and rendered a conclusive decision on the merits.⁹⁷ Based on the foregoing, the Court concluded the State did not violate its obligations under Article 8 (Right to a Fair Trial) and Article 25 (Right to Judicial Protection of the Convention).⁹⁸

91. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, "decide" ¶ 3.

92. *Id.* ¶ 120-121.

93. *Id.* ¶ 121.

94. *Id.* ¶¶ 123-124; 139.

95. *Id.* ¶ 137-138.

96. *Id.* ¶ 136.

97. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, ¶ 139.

98. *Id.* ¶ 140.

The Court found unanimously that Argentina had violated:

Article 8(1) (Right to a Hearing Within Reasonable Time by a Competent and Independent Tribunal) in relation to Article 1(1) (Obligation of Non-Discrimination) of the Convention, to the detriment of Ms. Perrone and Mr. Preckel,⁹⁹ because:

*In order to establish whether the State violated the guarantee of the reasonable period within the framework of the subsequent action for damages filed by Ms. Perrone and Mr. Preckel, the Court analyzed the following four elements: (1) the complexity of the case; (2) the interested party's procedural activity from the date of the first procedural act to the date a final judgment is issued; (3) any judicial authority's conduct; and (4) the impact on the legal situation of the alleged victim.*¹⁰⁰

*In the case of Ms. Perrone, the total duration was thirteen years and fourteen days, while that of Mr. Preckel lasted ten years and eleven months.*¹⁰¹ *The Court stated that, because the issues raised in these cases were of first impression to the State courts, it could potentially make the case complex.*¹⁰² *However, because the issues dealt with internal regulations, the Court ultimately found the case was not complex.*¹⁰³

*Additionally, the Court found the multiple filings and appeals by each victim progressed their cases, rather than stalled them, and therefore their procedural actions did not contribute to the delay.*¹⁰⁴ *Regarding the third element, the Court found that there was no evidence to justify the judicial authorities' delay in the processes.*¹⁰⁵ *Due to lack of evidence, the Court declined to analyze the fourth element.*¹⁰⁶ *Based on the foregoing, the Court concluded that the duration of the administrative procedure and of the judicial process as a whole, unjustifiably exceeded the reasonable period of time, in violation of the judicial guarantees enshrined in the American Convention.*¹⁰⁷

99. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, "decide" ¶ 4.

100. *Id.* ¶ 142.

101. *Id.* ¶ 143.

102. *Id.* ¶ 144.

103. *Id.*

104. *Id.* ¶ 145.

105. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, ¶ 146.

106. *Id.* ¶ 150.

107. *Id.* ¶¶ 147-151.

IV. REPARATIONS

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

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

1. Judgment as a Form of Reparation

The Court noted that the Judgment itself is a form of reparation.¹⁰⁸

2. Publish the Judgment

The State must publish the Judgment within six months of the Judgment and publish the Official Summary of the Judgment in a newspaper of large national circulation and in the Official Gazette.¹⁰⁹ The Court required the Judgment be published on an official State website for one year.¹¹⁰

B. Compensation

The Court awarded the following amounts:

1. Pecuniary Damages

[None]

2. Non-Pecuniary Damages

The Court awarded each victim \$15,000 for the excessive delays in processing each victim's claim.¹¹¹

108. *Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs*, “and provides” ¶ 5.

109. *Id.* “and provides” ¶ 7.

110. *Id.* ¶ 164.

111. *Id.* ¶ 171.

3. Costs and Expenses

The Court awarded \$10,000 to the victims' representative for the costs and expenses incurred during the litigation of each case.¹¹²

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

\$ 40,000

C. Deadlines

Within one year from the Judgment, the State must provide the Court with a report on the measures it took to comply with the Judgment.¹¹³

The State must publish the Official Summary and the Judgment within six months from the date of the Judgment.¹¹⁴

The State must make all payments for damages and for the reimbursement of costs and expenses within one year of the Judgment.¹¹⁵

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]

112. Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, ¶ 176.

113. *Id.* "and provides" ¶ 8.

114. *Id.* "and provides" ¶ 7.

115. *Id.* ¶ 178.

2. Decisions on Merits, Reparations and Costs

Perrone and Preckel v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 384, (Oct. 8, 2019).

3. Provisional Measures

Perrone and Preckel v. Argentina, Resolution of the President, Call for Hearing, Inter-Am. Ct. H.R. (ser. C) No. 384, (Dec. 7, 2018).

Perrone and Preckel v. Argentina, Resolution of the Inter-American Court of Human Rights, Reconsideration of Call for Hearing, Inter-Am. Ct. H.R. (ser. C) No. 384, (Jan. 29, 2019).

4. Compliance Monitoring

[None]

5. Review and Interpretation of Judgment

[None]

B. Inter-American Commission

1. Petition to the Commission

[None]

2. Report on Admissibility

Perrone and Preckel v. Argentina, Admissibility Report, Report No. 67/99, Inter-Am. Comm'n H.R., Case No. 11.738, (May 4, 1999).

3. Provisional Measures

[None]

4. Report on Merits

Perrone and Preckel v. Argentina, Report on Merits, Report No. 21/17, Inter-Am. Comm'n H.R., Case No. 11.738, (Mar. 18, 2017).

5. Application to the Court

Perrone and Preckel v. Argentina, Letter of Submission, Inter-Am. Comm'n H.R., Case No. 11.738, (Oct. 19, 2017).

VIII. BIBLIOGRAPHY

[None]