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Duque v. Colombia

I. COMPLIANCE AND FOLLOW-UP ADDENDUM¹

November 22, 2018: The Court verified that the State complied with reparation measures by publishing a summary of the Judgment in the Official Gazette, a national newspaper, and an official state website.² However, the State did not fully comply with the following:³ (1) payment of Mr. Duque’s full pension with interest; (2) payment of \$10,000 in non-pecuniary damages,⁴ (3) payment of \$10,000 in costs and expenses to Mr. Duque’s representation;⁵ and (4) reimbursement of \$2,509.34 to the Victim’s Legal Defense Fund.⁶ The Court required the State to fully comply with the remaining measures as soon as possible and to report on such compliance by February 22, 2019.⁷

November 22, 2019: The Court determined that the State complied with two of the outstanding reparation measures.⁸ First, the State made the payments of \$10,000 of non-pecuniary damages to Mr. Duque and of \$10,000 to Mr. Duque’s representation.⁹ Second, the State reimbursed the Victim’s Legal Defense Fund, with appropriate interest.¹⁰ However, the State remained responsible for paying Mr. Duque his full pension with the required interest.¹¹ The Court again asserted that the State should fully comply with this remaining measure and ordered the State

¹ Alondra Gonzalez, Author; Aria Soeprono, Editor; Emily Bernstein and Davina Shoumer, Senior IACHR Editors; Sophia Suarez, Chief IACHR Editor; Cesare Romano, Faculty Advisor.

² Duque v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. "Whereas," ¶ 4-5; "Resolves," ¶ 1 (Nov. 22, 2018).

³ *Id.* "Resolves," ¶¶ 2-3.

⁴ *Id.* "Whereas," ¶¶ 17-18.

⁵ *Id.* ¶ 18.

⁶ *Id.* ¶ 21.

⁷ *Id.* "Resolves," ¶¶ 4-5.

⁸ Duque v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. "Resolves," ¶ 1 (Nov. 22, 2019).

⁹ *Id.* "Whereas," ¶¶ 4-6.

¹⁰ *Id.* ¶¶ 10-11.

¹¹ *Id.* "Resolves," ¶ 3.

to submit an updated compliance report to the Court by March 13, 2020.¹²

March 12, 2020: The Court recognized that the State had fully complied with the remaining reparation by paying Mr. Duque his pension with full interest.¹³ Because the State complied with all the reparations required in the Judgment, the Court declared the case concluded.¹⁴

¹² Duque v. Colombia, Monitoring Compliance with Judgment, Order of the Court, "Resolves," ¶¶ 4-5 (2019).

¹³ Duque v. Colombia, Monitoring Compliance with Judgment, Order of the Court, Inter-Am. Ct. H.R. "Whereas," ¶¶ 6-7. (Mar. 12, 2020).

¹⁴ *Id.* "Resolves," ¶ 2.