



Committee of Experts expresses its concern over the case of Francisca Díaz Williams in Chile

The [Committee of Experts](#) of the Follow-up Mechanism to the [Belém do Pará Convention \(MESECVI\)](#) expresses its concern over the situation of Francisca Díaz Williams in Chile, a law student who was condemned for slanderous denunciation by the Oral Court of Puerto Montt on November 26, 2018 after having reported being a victim of sexual abuse by a lawyer of the Prosecutor's Office of Hualaihué. The ruling indicates that Francisca is sentenced to 3 years and one day of minor prison in its maximum degree, a fine of a monthly tributary unit and the accessories of perpetual absolute disqualification for positions and public offices and political rights.

According to the information received, Francisca was a victim of sexual abuse by the person involved and, both upon arrival at the police offices to report, and at the hospital to verify injuries and in the subsequent investigation by the Office of the Prosecutor, the appropriate protocols and procedures were not followed. As a result, the perpetrator sued Francisca for slander, as stipulated and punished in Article 211 of the Criminal Code, causing the victim to be revictimized and criminalized for reporting a sexual assault.

These facts highlight the clear limitations in relation to the treatment of women who report cases of sexual violence, who have to face criminalization by the State, institutional violence by the entities in charge of the procedures, lack of access to justice and the presence of gender stereotypes that affect judicial processes.

Article 7 of the Belém do Pará Convention states that the States Party must act with due diligence to prevent, investigate and punish violence against women. It must take all appropriate means, including legislative measures, to modify or abolish existing laws and regulations, or to modify legal or customary practices that support the persistence or tolerance of violence against women. Also, it must establish fair and effective legal procedures that include protective measures, a timely trial and effective access to such procedures among others.

Therefore, the Committee of Experts encourages the State of Chile to guarantee Francisca access to justice, to protect victims of sexual assault and to support that these cases be reported and prosecuted by applying international standards on the human rights of women, especially those

emanating from the Belém do Pará Convention, an international instrument signed and ratified by the State of Chile.

The [Committee of Experts](#) is the technical body of the MESECVI responsible for the analysis and evaluation of the implementation process of the Belém do Pará Convention. It is composed of independent experts, appointed by each of the States Party among its nationals, who exercise their functions in a personal capacity