



Communique Committee of Experts

Committee of Experts urges to protect and accelerate the investigation process in a case of political violence against ex-judge in Guatemala

Washington DC, May 14, 2020. The Committee of Experts of the Follow-up Mechanism of the [Belém do Pará Convention \(MESECVI\)](#) expresses its concern about the case of the former president of the Supreme Electoral Court (Tribunal Supremo Electoral) of Guatemala, María Eugenia Mijangos Martínez, who reported acts of violence carried out systematically and continuously during the six years that she served in that institution.

This Committee has been informed that, since October 2017, the magistrate had resorted to the corresponding judicial instances, but to date there have been no progress in the investigation or favorable changes in the circumstances that gave rise to the complaint. According to public information provided by the magistrate, the threats have not only continued, but have worsened. The Committee was also informed that since the complaints were made, protection measures have been requested as established by the legislation for the protection of women against violence, and despite the fact that on several occasions they have been issued, multiple procedural incidents have been left without effect or have hindered their effectiveness, generating a clear risk situation. In addition to this, the merits of the complaints have not been investigated.

The Committee reminds the State of Guatemala that the Belém do Pará Convention establishes in its article 4 the right of every woman to physical, mental and moral integrity, while guaranteeing the right to equal access to the public service of her country and the participation in public affairs. Likewise, article 5 establishes the protection and full guarantee of the exercise of the civil, political, economic, social and cultural rights of women embodied in regional and international human rights instruments to which Guatemala has subscribed. Along the same lines, in 2017 the Committee of Experts approved the Inter-American Model Law to Prevent, Punish, and Eradicate Violence against Women in Politics, which establishes that threats or intimidation against a woman or her family members, in order to nullify their political rights, constitutes a violation of her human rights and are a threat to democracy and governance.¹

The CEVI has previously stated that a timely protection measure prevents women from being left unprotected at the imminent risk of serious harm; this obligation of protection is a measure of immediate action that must be guaranteed to give effect to the duty of the States

¹ MESECVI (2017) *Inter-American Model Law to Prevent, Punish, and Eradicate Violence against Women in Political Life*.

to guarantee the reinforced due diligence established in the Convention. In order to offer comprehensive protection, the Model Law also establishes as an aggravating circumstance that the act is committed by state agents, highlights the value of establishing sanctions against responsible officials, and underlines the importance of reparation measures that guarantee full satisfaction of victims' rights.

For all of the above, this Committee calls on the State of Guatemala to guarantee all the necessary actions to prevent, punish, and eradicate violence and harassment against women in public and political life. Furthermore, it reiterates the importance of the reinforced duty of due diligence, which implies adapting the entire structure of the State and guaranteeing that all cases of violence against women are properly investigated and in accordance with the commitments issued in the Convention of Belém do Pará, an international instrument signed and ratified by the State. For all these reasons, the Committee of Experts urges the Guatemalan authorities to take all the corresponding measures to determine the pertinent responsibilities, and to guarantee the physical and psychological integrity of Judge María Eugenia Mijangos Martínez and her family members.

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