



# Communique Committee of Expert

## **Committee of Experts of the MESECVI expresses concern about the case of Virginia Laparra in Guatemala.**

Washington, DC, January 31st, 2023. The [Committee of Experts of the Follow-up Mechanism of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women](#) "Belém do Pará Convention" (MESECVI) expresses its deep concern regarding the situation of the former prosecutor of the Guatemalan Special Prosecutor's Office against Impunity (FECI), Virginia Laparra. In 2018, Ms. Laparra was accused of alleged abuse of authority after denouncing a judge for allegedly providing third parties with information from a classified investigation. She was found guilty of the crime of continuous abuse of authority and sentenced to 4 years of commutable imprisonment,

Since her arrest on February 23, 2022, Guatemalan civil society organizations and international organizations have denounced irregularities during the criminal proceedings against her<sup>1</sup>, as well as placing her under detention conditions that seriously affect her health and her physical and psychological integrity. These acts represent a serious violation of her rights and also compromise the responsibility of the Guatemalan State under the Belém do Pará Convention as well as under international jurisprudence on women's human rights.

According to the complaints received by this Committee of Experts, Ms Laparra's work as part of the Feci would be the main reason for the accusations against her<sup>2</sup>, hence, a contravention of the principles of impartiality and transparency, as well as, due process<sup>3</sup>. Also, there has been direct evidence of acts of violence against the former prosecutor that could imply acts of violence against her because she is a woman. There have also been acts of violence and

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<sup>1</sup> "Guatemala: UN Expert condemns targeting of prosecutor and judge". See: <https://www.ohchr.org/en/press-releases/2022/11/guatemala-un-expert-condemns-targeting-prosecutor-and-judge>

<sup>2</sup> Guatemala: 'Criminal law is used as a weapon for political persecution'. See: <https://www.civicus.org/index.php/es/medios-y-recursos/noticias/entrevistas/6222-guatemala-el-derecho-penal-es-utilizado-como-arma-de-persecucion-politica>

<sup>3</sup> Amnesty International press release: "Guatemala: Prisoner of conscience Virginia Laparra sentenced to four years in prison". See: <https://www.amnesty.org/es/latest/press-release/2022/12/guatemala-presade-conciencia-virginia-laparra-es-condenada-a-cuatro-anos-de-carcel/>

discrimination against her defense lawyers. Both situations of violence which in addition to being prohibited by the Belém do Pará Convention, would also be prohibited by the international recognition of the right of individuals to defend their rights.

As stated in Article 4 of this treaty: "Every woman has the right to the recognition, enjoyment, exercise and protection of all human rights and freedoms embodied in regional and international human rights instruments", including the right to equal protection before the law and of the law. In this context, the States Parties recognize that violence against women prevents and nullifies the exercise of their civil, political, economic, social and cultural rights.

The Committee of Experts recalls that under Article 7 of the Belém do Pará Convention, the States Parties "condemn all forms of violence against women and agree to pursue, by all appropriate means and without delay, policies to prevent, punish and eradicate such violence and undertake to: a. to refrain from engaging in any act or practice of violence against women and to ensure that the authorities, officials, personnel, agents and institutions act in conformity with this obligation.

By virtue of the foregoing, we remind the authorities of their obligation to act with due diligence to prevent, punish and eradicate all manifestations of violence against women that are intended to impair or nullify the exercise of all their rights. We, therefore, call on the State, at a minimum, to address the detention conditions under which Ms. Laparra is being held and to ensure that her immediate health needs are met.

The Follow-up Mechanism of the Belém do Pará Convention also received information from the State of Guatemala through the Technical Secretariat, reporting that several of the issues indicated by this Committee had been adequately addressed. Nevertheless, in view of the abundant information received on the facts denounced, the Committee of Experts places itself at the disposal of the State for any technical support it may require in this area.

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*The [Committee of Experts](#) is the technical body of the MESECVI, responsible for the analysis and evaluation of the implementation process of the Convention of Belém do Pará. It is made up of independent Experts, appointed by each of the States Parties from among their nationals, who perform their duties in a personal capacity.*