



Committee of Experts laments the decision of the Constitutional Court regarding femicide in Guatemala

The Committee of Experts of the Follow-up Mechanism to the Belém do Pará Convention (MESECVI) laments and expresses its concern over the decision of the Guatemalan Constitutional Court, which declares unconstitutional the provision that "the reduction of the penalty cannot be granted for any reason" of Article 6 of the Law against Femicide and other forms of Violence against Women, allowing the reduction of sentences in these crimes and in passing, putting at risk the life and integrity of the surviving women and their families.

Article 7 of the Belém do Pará Convention states the obligation of States to act with due diligence to investigate and punish violence against women, establishing fair and effective legal procedures, including protective measures, a timely trial and effective access to such procedures. On the contrary, this decision, in addition to reflecting to a patriarchal justice system, promotes the impunity of the aggressors, does not guarantee the safety of the victims and builds a message of tolerance towards violence against women in society. In addition, this decision corresponds to a violation of the principle of progressivity of women's human rights, which involves developing better mechanisms to guarantee effective access to justice for women victims of violence.

Through [the Declaration on Femicide](#), the Committee has recommended guaranteeing greater and better access to justice for women, improving the criminal investigation system, the system for the protection of victims and the judicial procedure to eliminate impunity for aggressors. The Committee considers, therefore, that a decision that reduces the punishments of perpetrators does not contribute to the eradication of impunity in these crimes.

Ensuring the effective access to justice of women who suffer violence is fundamental in the fight to prevent, punish and eradicate violence against them. Therefore, the State is encouraged to rectify this decision, to take all necessary measures, including legislative ones, to ensure access to justice for the victims and to guarantee security and reparation for them and their families, in compliance with the Belém do Pará Convention.

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 from among its nationals, who exercise their functions in a personal capacity.