



Communique Committee of Experts

Amid Concerns About Katty Hurtado's Case in Chile, the Committee of Experts of MESECVI Calls for Her Prompt Release

Washington, DC, July 4, 2024. [The Committee of Experts of the Follow-up Mechanism to the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Belém do Pará Convention" \(MESECVI\)](#) expresses deep concern over the situation of Katty Hurtado, a Chilean citizen who has been imprisoned for more than six years for the death of her ex-partner, in a case in which she always claimed to have acted in self-defense.

The Committee of Experts (CEVI) has been addressing the issue of self-defense for women victims of gender-based violence after identifying numerous cases across the region and establishing standards for addressing them. It therefore recalls that gender-based violence in *de facto* or *de jure* relationships cannot be taken as an isolated event, but rather has a continuous nature that escalates over time and affects the integrity of the victims. Rights such as the freedom, security, and physical and psychological integrity of women victims of such violence are permanently undermined.

In this regard, according to information received by this Committee from Chilean civil society, it is concerning that Ms Hurtado's situation as a victim of psychological, economic and sexual violence by her ex-partner for years and up to the time of the killing of her ex-partner, when she claims to have defended herself legitimately, was not taken into account during her trial.

Furthermore, successive national judicial reviews have upheld the conviction and denied prison benefits, as the Experts have learned from information provided by civil society. In the absence of other avenues, a presidential pardon has been requested.

The Committee of Experts calls attention to the fact that, under the Belém do Pará Convention, ratified by Chile, States have a general duty to prevent violence against women with due diligence, which appears not to have been fulfilled in the case of Ms. Hurtado. Additionally, under Article 7, States commit to modifying legal or customary practices which sustain the persistence and tolerance of violence against women, and establish fair and effective legal procedures for women who have been subjected to violence.

The Committee also stresses the importance of judging cases such as that of Katty Hurtado from a gender perspective. In its [General Recommendation No. 1 on self-defense and gender-based violence](#), the Experts emphasize the need to incorporate "a contextual analysis that makes it easy to understand that the reaction of victims of gender-based violence cannot be measured according to the traditional standards used to meet the bar for self-defense in other types of cases, since the violence they experience at the hands of their attacker based on their gender has specific characteristics that should permeate the entire legal reasoning of the decision".

Considering the above, as well as national precedents and international standards on women's human rights, this Committee calls upon the highest authorities of the Chilean State for the prompt release of Ms. Hurtado. Likewise, in application of Article 8 of the Belém do Pará Convention, this Committee recommends redoubling efforts in the area of education and training in a gender perspective for justice administration personnel, police and other law enforcement officials, in order to guarantee effective access to justice for women.

The Follow-up Mechanism to the Belém do Pará Convention, through its Committee of Experts, makes itself available to the State of Chile for any technical support they may require in this matter.

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.