

The Committee of Experts and the UN Special Rapporteur express their concern over the case of Colombian journalist Jineth Bedoya

Washington DC, March 25, 2021. The [Committee of Experts \(CEVI\)](#) of the Follow-up Mechanism of the [Belém do Pará Convention \(MESECVI\)](#) and the [United Nations Special Rapporteur on violence against women, its causes and consequences](#) (Special Rapporteur), Dubravka Šimonović, express their concern about the re-victimization suffered by the journalist Jineth Bedoya and her mother, throughout 20 years of seeking justice. This situation is particularly worrying given the abandonment of the public hearing before the Inter-American Court of Human Rights by the Colombian State, in the process of the *Bedoya Lima et al. V. Colombia* case, related to the kidnapping, torture and sexual violence suffered by Jineth Bedoya.

On March 16, 2021, after listening to the victim's account of the facts and the questions asked, the representation of the Colombian State in the aforementioned public hearing, requested the recusal of the President of the Inter-American Court, as well as of practically all the members of the Court, considering that the questions asked prejudged the merits of the matter and withdrawing from the hearing. This led to its subsequent suspension.¹

In this regard, the CEVI and the Special Rapporteur note that, as part of due process, the States, in any international process, can and should enforce the procedural rights they consider pertinent, in accordance with the respective procedural provisions. However, the way in which rights are enforced cannot generate re-victimization for victims in their search for justice.

The Committee of Experts and the Special Rapporteur point out that the withdrawal of the hearing by the Colombian State is a form of re-victimization of journalist Jineth Bedoya and her mother. They also underline that the empathy of the judges towards the victims is a guarantee of due diligence and an obligation that the judges have to assume, especially when dealing with a case of sexual violence in which the victims, after living extremely traumatic experiences with serious physical and emotional consequences, deserve to be listened with empathy and feel trust and protection by the justice, which does not detract from the objectivity of the decisions issued by the judges in these cases.

The Inter-American Court resolved the recusal made by the State and decided to continue with the hearing on March 22 and 23, which was held with all the parties involved. On March 24, the Inter-American Court, taking into account, *inter alia*, the request for provisional measures requested by Jineth Bedoya in her statement and in the final arguments, decided to order said measures to protect the rights to life and personal integrity of Jineth Bedoya and her mother, and request the State "to allow the beneficiaries to

¹ The State has indicated that the recusal is not related to the case, but to alleged procedural irregularities, and that the withdrawal of the hearing had to do with those alleged irregularities and, under no circumstances, was it intended to revictimize Jineth Bedoya.

participate in the planning and implementation of these protection measures and, in general, to keep them informed about the progress of their execution."²

With the adoption of the measures, the Court reiterated the urgent need to protect the victims. Therefore, the CEVI and the United Nations Special Rapporteur on violence against women, its causes and consequences request the Colombian State: a) that no State action, within or outside the process before the Inter-American Court, continues to re-victimize the victims of this case; b) to use the appropriate and institutional channels to continue with the procedure of the case and the provisional measures, until its resolution and later compliance with the judgment; c) to carry out all actions in accordance with the highest international standards of due diligence in this case; and d) to implement all the necessary measures for the vindication of the victims, which must include comprehensive reparation of the damage to the continuous violations to which the victims of this case have been subjected during the last two decades.

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.

² Order of the Inter-American Court of Human Rights of March 24, 2021 in the case of Bedoya Lima v. Colombia, resolutions 1 and 2. Available at: https://www.corteidh.or.cr/docs/medidas/bedoya_se_01.pdf