

via fax: 011 503 2243 6860 Excmo. Sr. Mauricio Funes President of El Salvador	via fax: 011 503 2246 4950 Sr. Luis Martínez Attorney General of El Salvador
via fax: 011 503 2271-8758 Sr. José Salomón Padilla President of the Supreme Court of El Salvador	

May 11, 2013

Dear Sirs:

We are extremely concerned for the life of **Beatriz** (not her real name), age 22, who is five months pregnant at the Specialized National Maternity Hospital in San Salvador. Her life is at risk while she is pregnant because she has a history of lupus (an autoimmune disease), kidney disease related to the lupus and other health problems including serious complications during her previous pregnancy. Three medical scans have confirmed that the fetus is anencephalic (lacking a large part of the brain and skull), a condition that usually results in the death of the baby before birth or within a few hours or days after birth.

Beatriz has been requesting a life-saving termination of her pregnancy for more than a month. The medical professionals have not acted in accordance with her wishes because they feel unable to terminate her pregnancy without the express assurance from the Salvadoran government that they will not be prosecuted for administering the life saving treatment she needs. Under Article No. 133 of the Penal Code, abortion is criminalised in all circumstances and anyone who provides, or tries to access, abortion services can face lengthy prison sentences.

On April 26, four United Nations experts (the Special Rapporteurs on the Right to Health; Torture; Violence against Women; and the President of the UN Working Group on Discrimination against Women) called on the Salvadoran government to urgently provide Beatriz with the necessary medical treatment to save her life.

On April 29 the Inter-American Commission on Human Rights (IACHR) granted Beatriz "protective measures" (*medidas cautelares*), urging the Salvadoran State to provide her with the medical treatment indicated by her doctors, in accordance with her wishes, within 72 hours. As of May 1, the government still had not done so.

We strongly urge that you

- comply immediately with the Inter-American Commission on Human Rights instruction of April 29 and provide Beatriz with the necessary medical treatment, in accordance with her wishes and as recommended by her doctors, in order to save her life;
- ensure immediately that health professionals are able to give Beatriz the treatment she needs, without any risk of criminal prosecution

Sincerely,

Brian J. Stefan Szittai
 Coordinator

cc: Citizens' Group for Decriminalisation of Therapeutic, Ethical and Eugenic Abortion ~ via fax: 011. 503.2226.0356
 Mari Carmen Aponle, US Ambassador to El Salvador ~ via fax: 011-503-2501-2775
 Francisco Altshul, El Salvador Ambassador to the US ~ via fax: 1-202-234-3834
 Jonathan Nellis, El Salvador Desk at US State Dept. ~ via email
 Christopher Johnson, Diplomacy Officer for Central America, US State Dept. ~ via email
 Rosa Maria Ortiz, Rapporteur for El Salvador, Inter-American Commission on Human Rights ~ via fax: 202.458.3992
 US Senators Brown & Portman and US Representatives Fudge, Gibbs, Johnson, Joyce, Kaptur, Latta, Renacci, Ryan ~ via email

UA 93/13Update_El Salvador

The following people hereby urge you to take action on this matter as indicated in this letter: