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# Amnesty International

## MONTHLY ACTION

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December 2014

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## MY BODY MY RIGHTS – EL SALVADOR CAMPAIGN

### El Salvador's total ban on abortion kills women and girls

Remember Beatriz?

She nearly died because the government of El Salvador refused to let her terminate the pregnancy that was making her fatally ill – a pregnancy in which the foetus was unlikely to survive because it was missing large parts of its brain. Beatriz is alive because of a loophole, but abortion is still completely banned in El Salvador.

Every year, thousands of women and girls are denied their human rights by this ban. It doesn't matter whether they are 10 years old and pregnant because they were raped, or whether the pregnancy is a risk to their lives: El Salvador's abortion laws force them to carry the pregnancy to term.

Women who have a miscarriage could be jailed for up to 50 years for aggravated homicide, because the state suspects them of having a clandestine abortion.

There's no denying it; El Salvador's total ban on abortion is torture. It pushes women and girls just like Beatriz to the brink of death.

The ban reflects the discriminatory attitudes that pervade El Salvadoran society – attitudes that allow killings, beatings and rapes of women and girls to proliferate. Attitudes that deny them the right to make decisions that determine the course of their lives. Women and girls in El Salvador have had enough.

That's why Amnesty members around the world are calling for the El Salvadoran government to decriminalise abortion on all counts, release all women jailed for pregnancy-related "offences", and tackle the deep-seated discrimination against women and girls that restricts their every move.

Only then can women and girls in El Salvador have a fair chance at deciding how to live their lives.

### WHAT YOU NEED TO DO

On 25<sup>th</sup> September 2014 we launched both the El Salvador report: "*On the Brink of Death: Violence against Women and the Abortion ban in El Salvador*" (available to download from: <http://www.amnesty.org/en/library/info/AMR29/003/2014/en>) and our petition (available on line from: <https://www.amnesty.org.uk/actions/end-ban-abortion-el-salvador-beatriz> and see attached for a copy) and letter-writing action (see template letter) targeting the President Sánchez Cerén. It is our aim to mobilise the movement to put a lot of pressure on the government of El Salvador. The online petition will close in December in time for a handover at the beginning of next year. However, the letter-writing can continue as continuing pressure will help until we start the next phase of the campaign.

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### GOT QUERIES OR WANT TO DO MORE?

If you have any queries about this action please contact [activism@amnesty.org.uk](mailto:activism@amnesty.org.uk) / 020 7 033 1675

Local group's monthly mailing can be downloaded from: [www.amnesty.org.uk/groups](http://www.amnesty.org.uk/groups)

## MONTHLY ACTION

### Background Information

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## MY BODY MY RIGHTS – EL SALVADOR CAMPAIGN

In El Salvador, it doesn't matter if you're pregnant as a result of rape, or whether the pregnancy is a risk to your life: abortion is banned in all cases.

If you're found guilty of having an abortion, or of helping someone have one, you could be imprisoned for up to 12 years. If you have a miscarriage, you could be jailed for up to 50 years for aggravated homicide, because the state suspects you of having a clandestine abortion.

With no proper education on sex and relationships, and obstacles to accessing contraception, El Salvador has the highest teen pregnancy rate in Latin America. And more than half of all deaths of pregnant teens are due to suicide.

### FACTS AND FIGURES

El Salvador has one of the most restrictive abortion laws in the world. Abortion is totally banned in all circumstances and harsh prison sentences befall those accused of terminating a pregnancy.

The My Body My Rights El Salvador campaign report, *On the brink of death: Violence against women and the abortion ban in El Salvador*, charts how the restrictive laws are destroying the lives of women and girls:

1. Women and girls found guilty of having an abortion – and those who assist them – face a prison sentence of two to eight years.
2. Women who have had miscarriages have been charged with aggravated homicide, a charge which can bring a sentence of up to 50 years in prison. Amnesty International has documented the cases of women who have spent years in prison after having a miscarriage.
3. El Salvador banned abortion in all circumstances in 1998.
4. Last year the National Civil Police recorded that, 16 women and girls were charged with the crime of abortion, six of them were under 17-years-old at the time of the alleged offence.
5. Despite the ban, clandestine abortions are common. According to the Ministry of Health, There were 19,290 abortions in El Salvador between 2005 and 2008. More than a quarter of them were undergone by girls. Amnesty International notes, however, due to the criminalization of the procedure, this figure is likely much higher.
6. Common methods used by women and girls to terminate a pregnancy include: ingesting rat poison and other pesticides; thrusting knitting needles, pieces of wood and other sharp objects into the cervix; or taking a drug used to treat stomach ulcers.
7. The last figures by the World Health Organisation note that 11 per cent of women and girls who underwent a clandestine abortion in El Salvador died as a result. Amnesty International notes, however, that due to the criminalisation of abortion this figure is likely much higher.
8. A newspaper poll in 2013 revealed 74 per cent of people polled in El Salvador favoured an abortion when a woman's life is at risk.
9. El Salvador has the highest rate of teenage pregnancy in Latin America (Ministry of Health 2013). According to the National Family Health Survey, more than one-fifth (23 per cent) of all teens between 15 and 19 in El Salvador have been pregnant at least once. Nearly half of them were under 18 and didn't intend to get pregnant.
10. Last year there were 1,346 rapes of women and girls registered by the National Civil Police, nearly two-thirds were of those aged under 15 or those classified as "mentally incapacitated", and unable to give informed consent because of their mental health or because they were rendered unconscious.
11. There is only one women's refuge in El Salvador. It can accommodate just 35 women and children.

## **CASE STUDIES**

**María Teresa Rivera** is serving a 40-year prison sentence for having a miscarriage. She was 28 years old and was working in a garment factory when one day she felt the urgent need to use the toilet. She was found by her mother-in-law, bleeding on the bathroom floor. She had not known she was pregnant. She was rushed to hospital where a member of staff reported her to the police. Police officers arrived and began questioning María Teresa without a lawyer present. She was later found guilty of aggravated homicide.

**Beatriz**, a 22-year-old woman from a rural part of El Salvador, became pregnant for the second time in 2012. Beatriz has a history of lupus, a disease in which the body's immune system attacks the person's own tissue. She also has other medical conditions, including kidney disease related to the lupus. In early 2013, it also became clear that the foetus she was carrying was anencephalic (lacking a large part of the brain and skull), a fatal condition that medical science has well-established would not allow it to survive more than a few hours or days beyond birth. On 3 June 2013, after intervention from the Inter-American Commission of Human Rights and international press attention, the Salvadoran government finally permitted Beatriz to have an early caesarean section.

**An anonymous doctor** described his experience of treating a nine-year-old pregnant rape survivor who was forced to carry the pregnancy to term: *"We had a nine-year-old girl here. She gave birth aged 10. She had been abused since infancy. She fell pregnant and... it was a very difficult case. Very difficult... it ended up being a caesarean section at 32 weeks... That case marked us a lot perhaps because she didn't understand what was happening to her... She asked us for colouring pencils. Crayons. And it broke all of our hearts because she started to draw us all, she drew and she stuck it on the wall. And we said: 'She's still just a girl, just a little girl'". And in the end she didn't understand that she was expecting."*

**Another doctor** with many years' experience working in maternal health told Amnesty International that even, for example, in the case of ectopic pregnancies (a non-viable pregnancy in which the fertilized egg implants and begins to develop outside the uterus, most commonly in a fallopian tube) the criminalization of abortion and disproportionate protection of foetal life, places a chilling effect on health professionals from offering the medically indicated treatment. At a certain point, if left untreated, the pregnancy can cause the fallopian tube to rupture, leading to internal bleeding and the woman's death.

## **NEXT STEPS**

We are working with the country co-ordinator on El Salvador on getting a meeting with the El Salvador Embassy in the UK. We are also waiting to hear about possible casework on individuals at risk in El Salvador for possible campaigning in 2015.

As the UK Government does not give aid to El Salvador, there are not as many advocacy opportunities for us here in the UK. However, staff and activists in the US, Spain and other donor countries are pursuing those avenues.

In the UK we will continue to raise awareness about the situation in El Salvador in the first quarter of 2015 before our work on the Republic of Ireland starts around May.