

From: Diptel SAN SALVADOR (Sensitive)

Sent: 19 December 2016 11:00

To: Diptel FCO (Sensitive)

Subject: OFFICIAL EL SALVADOR: VISIT BY BARONESS ANELAY, 13 DECEMBER [DIPTTEL 1606019]

Diptel SAN SALVADOR (Sensitive)

Foreign & Commonwealth Office Diplomatic Telegram

[Out of scope]

Abortion and El Salvador's International image

4. The meeting with the new President of the National Assembly (a known proponent of the death penalty and anti-abortionist) gave the Minister an opportunity to discuss El Salvador's international image. The world saw El Salvador through the prism of outdated (and often discriminatory) laws which infringed women's rights in particular. The new President had an opportunity to make his mark and take forward the proposal by his predecessor to make changes to El Salvador's abortion law. It was important to support Women's Rights and politicians often had to make difficult, but informed decisions. 55% of El Salvador was aged below 30 and this demographic meant that young people wanted innovative leadership from their politicians, not the status quo. [Redacted]

[Out of scope]

GAR SIDE

Authorised

Bernhard Garside | HMA | [Redacted]

Contact

Bernhard Garside | HMA | [Redacted]

Action

[Redacted]

[Redacted]

From: [Redacted]

Sent: 29 July 2017 13:51

To: [Redacted]

Cc: [Redacted]

Subject: IMPORTANT - Teenage Rape Survivor Imprisoned After Suffering Stillbirth in El Salvador

Dear [Redacted],

Hope you're well.

I wish to draw your attention to an [Urgent Action](#) issued by Amnesty International following the 30 year prison sentencing of Evelyn Beatriz Hernández Cruz, a 19-year-old rape survivor convicted of “aggravated homicide” after suffering a stillbirth following pregnancy-related complications in Cojutepeque, El Salvador.

This is another recent example which shows that women and girls in El Salvador are at risk of having their rights to life and health, and their right not to be subjected to discrimination, torture or ill-treatment violated if the criminalisation of abortion is maintained.

The recent sentencing of Evelyn also highlights the urgency of debating the proposed reform to the abortion law. Amnesty International urges legislators to support the proposal, presented in October 2016 and still awaiting consideration by the legislative committee, that ends the total ban on abortion.

We further call for access to abortion to be guaranteed both in law and in practice, at a minimum, in cases where pregnancy poses a risk to the life or the physical or mental health of a pregnant woman or girl, in cases where the foetus will be unable to survive outside the womb, and in cases where the pregnancy is the result of rape or incest.

I would be grateful if you passed on our concerns to your colleagues in El Salvador.

Best wishes,

[Redacted]

[Redacted]

From: [Redacted]
Sent: 11 May 2017 09:53
To: [Redacted]
Cc: [Redacted]
Subject: Re: EL SALVADOR: CRITICAL OPPORTUNITY TO PUT AN END TO TOTAL BAN ON ABORTION

Thanks [Redacted].

I have asked our researchers about the information you requested and will get back to you as soon as possible.

Best wishes

[Redacted]

From: [Redacted]
Sent: 11 May 2017 09:39

To: [Redacted]

Cc: [Redacted]

Subject: RE: EL SALVADOR: CRITICAL OPPORTUNITY TO PUT AN END TO TOTAL BAN ON ABORTION

Dear [Redacted]

Thank you for sharing this press release which I will forward to colleagues in San Salvador. UK concerns about Salvadoran abortion laws were raised by Baroness Anelay when she visited El Salvador in December and also by Sir Alan Duncan with the Salvadoran Ambassador to London. The background states that there is evidence that total bans do not reduce the number of abortions – could you let me know where I might find out more about the research into this? I think it could be useful information to have.

Kind regards

[Redacted]

From: [Redacted]

Sent: 10 May 2017 16:29

To: [Redacted]

Cc: [Redacted]

Subject: EL SALVADOR: CRITICAL OPPORTUNITY TO PUT AN END TO TOTAL BAN ON ABORTION

Dear [Redacted]

Please find below a copy of the press release issued by Amnesty yesterday regarding the total abortion ban in El Salvador, for your information.

With thanks and best wishes

[Redacted]

EL SALVADOR: CRITICAL OPPORTUNITY TO PUT AN END TO TOTAL BAN ON ABORTION

The Legislative Assembly of El Salvador has a historic opportunity to reject the criminalisation of abortion and protect the health and lives of millions of women in the country, said Amnesty International ahead of a congressional debate on the issue likely to take place later this month.

Abortion has been criminalised in all circumstances in El Salvador since 1998, even when the pregnancy is the result of rape, incest, or where the life of the pregnant woman or girl is at risk. Many women and girls have lost their lives or been

imprisoned due to the total abortion ban. The debate could lead to the first steps towards decriminalisation.

Erika Guevara Rosas, Americas Director at Amnesty International, said

“The total ban on abortion is, quite simply, a form of torture which puts the lives of millions of women and girls at risk every day.”

The current legal framework forces women and girls to resort to unsafe abortions, and creates an atmosphere of suspicion around women who miscarry or experience other obstetric emergencies. As a result, women who experience complications during pregnancy have been prosecuted and convicted on charges of ‘induced abortion’, with sentences of up to 40 years’ imprisonment.

Over 50,000 Amnesty activists have sent letters from Germany, Canada, Spain, USA, Norway and Sweden, among other countries, calling on the Salvadorian authorities to put an end to the criminalisation of abortion and comply with their international human rights obligations.

Background

Evidence shows that total bans on abortion do not reduce the number of abortions but instead increase the risk of women dying due to illegal, unsafe abortions.

The World Health Organization has warned that restrictive abortion laws put women and girls living in poverty, and those living in rural and more isolated areas, at particular risk of unsafe abortions. Criminalisation of abortion in all circumstances deters women from seeking medical care and creates a ‘chilling effect’ on doctors who are fearful of providing life-saving treatment to women whose life or health are at risk by pregnancy, or who suffer complications from an unsafe abortion.

For more information, see the report *Separated families, broken ties: Women imprisoned for obstetric emergencies and the impact on their families* <https://www.amnesty.org/en/documents/amr29/2873/2015/en/>

ENDS

[Redacted]

From: [Redacted]
Sent: 07 July 2017 11:48
To: [Redacted]
Cc: [Redacted]
Subject: RE: El Salvador: Rape survivor receives 30 year jail sentence

Thanks [Redacted] much appreciated.
Best wishes

[Redacted]

From: [Redacted]
Sent: 07 July 2017 11:38
To: [Redacted]
Cc: [Redacted]
Subject: RE: El Salvador: Rape survivor receives 30 year jail sentence

Dear [Redacted]

I will of course pass on your concerns to my colleagues. This is a case our Ambassador in El Salvador and other members of the international community had been following closely.

Kind regards

[Redacted]

From: [Redacted]
Sent: 07 July 2017 11:34
To: [Redacted] (Sensitive)
Cc: [Redacted]
Subject: El Salvador: Rape survivor receives 30 year jail sentence

Dear [Redacted]

Please find below details of a press release Amnesty has issued today, regarding the 30-year sentence given to a rape survivor under the extreme abortion laws in El Salvador.

I'd be grateful if you'd pass on our concerns to your colleagues.

Best regards

[Redacted]

Amnesty International UK

PRESS RELEASE

FOR IMMEDIATE RELEASE: FRIDAY 7 JULY 2017

EL SALVADOR: RAPE SURVIVOR SENTENCED TO 30 YEARS IN JAIL UNDER EXTREME ANTI-ABORTION LAW

The decades-long prison sentence handed a 19-year-old rape survivor in El Salvador after she suffered pregnancy-related complications is a terrifying example of the need to urgently repeal the country's retrograde abortion law, Amnesty International said today.

Evelyn Beatriz was admitted to a health centre in Cojutepeque, 33km north of the capital San Salvador, on 6 April last year after she fainted at home. She was in labour but unaware she was pregnant. Local organisations say she had been raped months earlier but that she had been too afraid to report it to the police. Staff at the hospital reported Evelyn to the authorities.

She was taken to court charged with 'aggravated homicide', and on Wednesday (5 July), she was sentenced to 30 years in jail. Her lawyers are appealing the sentence.

Erika Guevara-Rosas, Americas Director at Amnesty International, said:

"El Salvador's anti-abortion law is causing nothing but pain and suffering to countless women and girls and their families. It goes against human rights and it has no place in the country or anywhere.

"The total ban on abortion in El Salvador violates women's rights to life, health, privacy, due process and freedom from discrimination, violence and torture and other ill-treatment. All women and girls imprisoned for having had an abortion or experiencing obstetric emergencies should be immediately and unconditionally released, and the law must be repealed without delay."

Background Information

Abortion has been criminalised in all circumstances in El Salvador since 1998, even when the pregnancy is the result of rape, incest, or when the life or health of the pregnant woman or girl is at risk. Many women and girls have lost their lives or been imprisoned due to the total abortion ban.

The current legal framework forces women and girls to resort to unsafe abortions, and creates an atmosphere of suspicion around women who miscarry or experience other obstetric emergencies. As a result, women who experience complications during pregnancy have been prosecuted and convicted on charges of "aggravated murder" with sentences of up to 40 years' imprisonment.

ENDS

[Redacted]