

Public

AI Index: AMR 18/001/2004
Distrib: PG/SC

To: Health professional members
From: Medical team / Americas program
Date: 6 February 2004

MEDICAL ACTION UPDATE 1

BOLIVIA

Ill-health of Francisco Cortés, peasant leader

Related action: AI Index: AMR18/008/2003, 19 September 2003
<http://web.amnesty.org/library/Index/ENGAMR180082003>

Amnesty International's concerns

Francisco Cortés was arrested on 10 April 2003 and has been in custody since. In September 2003, Amnesty International expressed concern at his state of health.

Amnesty International has now received further information which increases its concern for the health of Francisco Cortés.

On 25 January 2004, Francisco Cortés was reportedly confined in an isolation cell in the high security prison, *Penitenciaría de San Pedro de Chonchocoro* on the outskirts of La Paz, where he has been held since May 2003. According to reports, Francisco Cortés was sent to isolation after being accused with others of planning an escape. Conditions of isolation in the *Penitenciaría de San Pedro de Chonchocoro* are known to be particularly harsh. Amnesty International has received no information to lead it to believe that Francisco Cortés has received adequate medical attention for the health problems he is said to be suffering. These included hepatitis, headaches, serious sight problems and constant nosebleeds.

Amnesty International is urging the authorities to immediately provide information on the current health condition of Francisco Cortés and asking for assurance that appropriate medical assistance will be provided to him.

Background information

Francisco Cortés was arrested on 10 April 2003 on charges of terrorism, drug-trafficking and espionage. The Bolivian government accused him of being a member of the Colombian armed opposition group ELN (*Ejército de Liberación Nacional* – National Liberation Army) and of trying to establish such a group in Bolivia.

Francisco Cortés is a peasant leader and executive member of the non-governmental organization National Association of Peasant Land Users (*Asociación Nacional de Usuarios Campesinos* - ANUC) in Colombia. He has been included in the Colombian Interior Ministry's Witness Protection Program for Threatened Persons since 1999 following the receipt of death threats due to his legitimate work as a peasant leader. He and his family have been forced to continually move residence for their personal safety.

Francisco Cortés had been invited to La Paz by members of the Bolivian coca-growing peasant movement as part of initiatives for exchanging experiences between peasant

organizations in the Andean region. He was arrested along with three Bolivian nationals, two of whom are also still currently detained. They are Claudio Ramírez, a Bolivian peasant leader and owner of the house where Francisco Cortés was arrested and Carmelo Peñaranda, coca leaf farmer and union leader.

Amnesty International has had long-standing concerns about the serious inadequacy of health care in Bolivian prisons (see *Bolivia: Torture and Ill-Treatment: Amnesty International's Concerns*, AMR 18/008/2001; <http://web.amnesty.org/library/Index/ENGAMR180082001>)

Right to health

The Bolivian Constitution and international human rights law guarantee the right to health and to life. Article 7(a) of Bolivia's Constitution guarantees the right to health and safety and to life. The International Covenant on Economic, Social and Cultural Rights guarantees the right to health (at article 12) and the International Covenant on Civil and Political Rights states in article 6 that "every human being has the inherent right to life".

In addition, the UN Standard Minimum Rules for the Treatment of Prisoners, in discussing provision of health care, state in article 22 (2) that: "Sick prisoners who require specialist medical treatment shall be transferred to specialized institutions or to civil hospitals".

Recommendations

Please write letters, preferably in Spanish, or in English to the authorities below, using professionally-headed paper if you use this in your profession:

- introducing yourself in your professional capacity and/or as a member of Amnesty International concerned with human rights and health;
- expressing concern at reports that Francisco Cortés, held in the Penitenciaría de San Pedro de Chonchocoro in La Paz, who is known to be suffering serious health problems has been placed in isolation;
- urging the authorities to immediately provide information on his current health condition and ask for assurance that appropriate medical assistance will be provided to him, including transfer to a specialist clinic if doctors believe that is necessary.

Addresses

President:

Excmo. Sr. Presidente de la República de Bolivia
Sr. Carlos Mesa Quisbert
Palacio de Gobierno
Plaza Murillo s/n
La Paz, Bolivia
Fax: + 5912 220 4213

Salutation : Mr. President / Excelentísimo Sr. Presidente de la República

Vice-Minister of Justice:

Sr. Viceministro de Justicia
Dr. Carlos Alarcón
Viceministerio de Justicia
Av. 16 de Julio No. 1769
La Paz, Bolivia
Fax: + 5912 212 4720

Salutation: Dear Vice-minister / Sr Viceministro de Justicia

Minister of Health:
Sr. Ministro de Salud
Sr. Fernando Antezana Aranibar
Ministerio de Salud
Plaza del Estudiante esq. Cañada Strongest
La Paz, Bolivia
Fax: + 5912 249 2700
Salutation: Dear Minister / Sr. Ministro de Salud

Director General of Prisons
Sr. Director General Régimen Penitenciario
Sr. Tomás Molina
Dirección General de Régimen Penitenciario
Av. Arce esq. Belisario Salinas
La Paz, Bolivia
Fax: + 5912 244 0189
Salutation: Dear Director / Sr Director General de Régimen Penitenciario

Minister of Interior:
Sr. Ministro de Gobierno
Sr. Alfonso Ferrufino Valderrama
Ministerio de Gobierno
Av. Arce No. 2409 Esq. Belisario Salinas
La Paz, Bolivia
Fax: + 5912 244 0466
Salutation: Dear Minister / Sr Ministro de Gobierno

Copies of appeals

Please send copies of your appeals to the Minister of Foreign Affairs in Bolivia:

Minister of Foreign Affairs
Sr. Ministro de Relaciones Exteriores y Culto
Sr. Juan Ignacio Siles del Valle
Ministerio de Relaciones Exteriores y Culto
Plaza Murillo
c Ingavi esq. Junín
La Paz, Bolivia .
Fax + 5912 240 8189 / 8915
Salutation : Mr. Minister/ Sr. Ministro de Relaciones Exteriores y Culto

and to diplomatic representatives of Bolivia accredited to your country.

If you receive no reply from the government or other recipients within six weeks of dispatch of your letter, please send a follow-up letter seeking a response, referring to your previous letter(s). Please check with the medical team if you are sending appeals after 6 May 2004 and send copies of any replies you do receive to the International Secretariat (att: medical team).