

EXTERNAL (for general distribution)

AI Index: AMR 18/02/94
Distr: UA/SC

UA 345/94

Medical concern

19 September 1994

BOLIVIA

Marcela Alejandra Porco (f), aged 23, Argentine citizen

Marcela Alejandra Porco, who has a long history of psychiatric illness, is being held in solitary confinement in Palmasola Womens' Prison, Santa Cruz, without access to the constant medical treatment which her condition requires.

Since her arrest in June 1994, her mental and physical condition has deteriorated dramatically: she has injuries from banging herself against the walls of her cell, she has lost control of her bodily functions, and the Argentine Consul in Santa Cruz, who visited Marcela Porco in prison, described her as literally "rotting away".

A United Nations observer who also visited her in prison has confirmed that she is in a "deplorable" state of health, and reports the opinion of the prison doctor that Marcela Porco may die soon if her condition continues unattended.

BACKGROUND INFORMATION

Marcela Alejandra Porco was arrested at Viru Viru airport on 2 June 1994, accused of drug-trafficking, and is unlikely to be brought to trial or sentenced for at least three years (the average time span required to pass sentence).

Under the *Código de Procedimiento Penal*, the Bolivian Penal Code all prisoners have the right to access to medical care. However, Marcela Porco is being denied adequate medical treatment by the judges of the *Tribunal Primero de Sustancias Controladas*, Superior Court for Controlled Substances, under a law which requires that medical practitioners treating prisoners should be registered with the *Consejo Nacional de Lucha y Prevención de Uso Indebido de Drogas*, National Council for the Fight against Drug Use. As there is no practitioner available in Santa Cruz who satisfies this requirement, Marcela Porco's chronic psychosis and paranoid schizophrenia is being allowed to go untreated.

The *Colegio de Abogados de Santa Cruz*, the Santa Cruz Lawyers' Association, is bringing a legal action against the judges for putting Marcela Porco's life at risk. Fellow prisoners are staging a hunger-strike to put pressure on the authorities to have Marcela Porco moved to a hospital.

Judges of the *Tribunal Primero de Sustancias Controladas* have allowed Marcela Porco to receive psychiatric treatment in prison, but continue to refuse permission for her to be moved. The governor of Palmasola has stated that appropriate accommodation cannot be found for her in the prison, owing to lack of funds.

Appeals from human rights groups, the Catholic Church, professional associations, the Argentine embassy in Bolivia and Marcela Porco's father, among others, have all so far failed to move the judges handling her case to take any steps to extricate Marcela Porco from the horrific conditions in which she is being held.

RECOMMENDED ACTION: Please send telegrams, faxes and airmail letters either in Spanish or in your own language:

- urging that Marcela Alejandra Porco be transferred immediately to a suitable hospital for urgent medical treatment;

- urging that, in view of Marcela Porco's well-documented medical history, due consideration be given to her case as soon as possible;
- seeking assurances that, if she remains in prison after trial, adequate provision will be made to ensure the proper monitoring and control of her condition, so as to avoid further endangering the life of Marcela Porco or those of prison staff at Palmasola.

APPEALS TO:President of the Republic of Bolivia

Excmo. Sr. Presidente

Lic. Gonzalo Sánchez de Lozada

Palacio de Gobierno

La Paz, Bolivia

Telegrams: Sr Presidente Sánchez de Lozada, La Paz, Bolivia**Faxes: + 5912 32 62 07****Salutation: Mr President/Señor Presidente**Minister of Justice

Sr. Ministro de Justicia

Dr. René Blattmann

Ministro de Justicia

Ministerio de Justicia

Palacio de Comunicaciones - piso 6

Avenida Mariscal Santa Cruz

La Paz, Bolivia

Telegrams: Sr Min Justicia Blattmann, La Paz, Bolivia**Faxes: + 5912 35 65 30****Salutation: Dear Minister/Señor Ministro****COPIES OF YOUR APPEALS TO:**United Nation International Drugs Control Program**Faxes: +5918 11 27 46**Argentine Embassy in Bolivia

Sr. Embajador de la República de Argentina

Embajada de la República de Argentina

Aspiazu 497

Casilla 64

La Paz, Bolivia

Faxes: + 5912 39 10 83

and to diplomatic representatives of Bolivia accredited to your country.

Please draw this action to the attention of Medical Coordinators in your Section.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 31 October 1994.