

AI Index: PRE01/252/2013  
30 May 2013

## **El Salvador: 'Shameful' court ruling places Beatriz's life in government's hands**

Yesterday's decision by the Constitutional Chamber of El Salvador's Supreme Court of Justice to deny Beatriz her appeal for access to a therapeutic abortion is "shameful and discriminatory", Amnesty International said.

"This decision violates Beatriz's human rights" said Esther Major, Amnesty International's researcher on El Salvador.

"To have subjected Beatriz to this lengthy drawn-out process, taking seven weeks to come to a decision which affects a person whose life is in imminent danger, is cruel, inhumane and degrading".

The Court has also ordered the health authorities to "continue monitoring the petitioner's state of health and to provide her with the ...appropriate...treatment...[since]...health professionals are the only ones with the knowledge and necessary experience...to alleviate their patients' suffering and address any complications which may arise..."

"The responsibility for safeguarding Beatriz's life and health is now firmly and solely in the hands of the government. The President and the Minister of Health must comply with the protective measures [medidas provisionales] ordered by the Inter-American Court of Human Rights and terminate Beatriz's pregnancy, in accordance with her wishes," said Major.

"To put it simply, we urge the authorities to show Beatriz what they should have shown her from the beginning: humanity".

The Hospital's Medical Committee, which was set up to study the case, has clearly stated that "considering the fatal prognosis for the foetus's survival, and the mother's pathology, ending the pregnancy was the measure which was most beneficial to her".

As the Court itself recognized, Beatriz is now entering a very risky stage with regards to her health, where "the unpredictable nature of the base illness she suffers from and the biological changes which her body could undergo during the current final stages of her pregnancy increase the probable occurrence of medical complications which the aforementioned patient already suffered during her first pregnancy, or of other complications. Added to this, the anencephaly of the foetus which she is carrying could also be a future cause of obstetric complications".

For Amnesty International, it is crucial that the Ministry of Health and El Salvador's President Mauricio Funes give a clear signal that they will support the country's medical personnel, providing them with guarantees that they can take the most appropriate decision from a medical perspective, and in accordance with Beatriz's own wishes.

“No doctor should be criminalized for trying to save Beatriz's life and health. Beatriz wants to live, and the State has an obligation to guarantee that her doctors can take the measures necessary in order for her to survive,” said Major.

**More information:**

[El Salvador: Supreme Court toys with young mother's life](#)

[Beatriz in need as authorities just stand by](#)

[El Salvador: “We don’t want Beatriz to die, it’s that simple”](#)

[Protection measures ordered for Beatriz](#)

[El Salvador must save Young pregnant woman’s life](#)