

Public

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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).