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# El Salvador / Human Rights: UN experts call for urgent reforms against arbitrary detention of vulnerable women

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GENEVA (6 March 2020) - A group of UN human rights experts\* is calling on the authorities of El Salvador to adopt urgent structural reforms to end



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undergoing obstetric emergencies or suffering miscarriages.

In its recently released **Opinion No. 68/2019**, the group of experts found that this was not an isolated case as the issues reflected structural problems in the exercise and protection of fundamental rights of women in El Salvador.

The three women were deprived of their liberty in the hospital, in the midst of serious health complications, after undergoing obstetric emergencies that ended their pregnancies. Hospital staff rushed to contact law enforcement authorities, who immediately initiated investigations and made accusations of aggravated homicide.

"The Salvadorian authorities subjected the three women to pre-trial detention, without considering other alternatives measures or the medical emergency they underwent, nor the physical and psychological damage to which they had been exposed," they said.

The experts also considered that "in all three cases the guilt of the defendants was assumed, denying them the presumption of innocence, violating the guarantees of due process".

"Young Salvadorian women in a situation of poverty are especially at risk of suffering this type of arbitrary detention", the Working Group emphasized.

"The information received indicates that, between 2000 and 2011, 129 women were prosecuted for abortion or aggravated homicide in El Salvador, with sentences ranging from 30 to 50 years in prison. Sixty-eight per cent of the women were sentenced when they were between 18 and 25 years old and most of them came from rural or marginal urban areas."



"The result is unnecessary, disproportionate, custodial measures that do not pursue a legitimate aim, and that seem unreasonable in their implementation," they said after establishing that the legislation applied was discriminatory, affecting only women.

The Working Group calls on the authorities of El Salvador to "urgently and comprehensively review, reinterpret, reform, suspend and/or repeal the criminal legislation applied, in order to ensure compliance with the international human rights obligations undertaken by the State".

ENDS

***The Working Group on Arbitrary Detention: José Antonio Guevara Bermúdez, Leigh Toomey, Elina Steinerte, Seong-Phil Hong and Sètondji Roland Adjovi.***

*The UN Working Groups are part of what is known as the Special Procedures of the Human Rights Council. Special Procedures, the largest body of independent experts in the UN Human Rights system, is the general name of the Council's independent fact-finding and monitoring mechanisms that address either specific country situations or thematic issues in all parts of the world. Special Procedures' experts work on a voluntary basis; they are not UN staff and do not receive a salary for their work. They are independent from any government or organization and serve in their individual capacity.*

***UN Human Rights, Country Page – El Salvador***

*For more information and media requests on the Working group's Opinion on the detention of Mr. Karim Wade, please contact: Mr. Christophe*



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