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## U.N. group says Salvadoran women unfairly locked up for abortion crimes

By Anastasia Moloney



BOGOTA (Thomson Reuters Foundation) - Three Salvadoran women put in prison for abortion-related crimes were detained unfairly and arbitrarily, a United Nations expert group will say in coming weeks amid growing calls for the Central American nation to ease its total abortion ban.

While the U.N. Working Group on Arbitrary Detention does not have the authority to order release of a detainee, rights groups hope its recommendation will put pressure on El Salvador to review cases of women behind bars for abortion-related crimes.

The U.N. expert group considered the cases of two young women now serving long sentences - one of 30 years - who were arrested when they sought hospital medical help for pregnancy complications and the case of a teenage rape victim now freed.

More than a dozen other women have been sentenced to long prison terms for abortion-related crimes that can stem from miscarriages, still births and pregnancy complications, and scores have faced legal proceedings in recent decades.

Abortion has been a crime since 1998 in the socially conservative and mostly Catholic nation, even in cases of rape, incest, when a woman's life is in danger or if the fetus is deformed.

In an advance ruling seen by the Thomson Reuters Foundation, the U.N. Working Group said the three women were victims of arbitrary detentions and were denied due process, and it called on El Salvador to investigate their convictions.

The formal decision is expected to be made public before the end of the month.

“The decision is a milestone in the fight against arbitrary detentions and unjust criminalization of women in El Salvador,” Carmen Cecilia Martinez, regional manager for Latin America at the U.S.-based Center for Reproductive Rights (CRR), told the Thomson Reuters Foundation on Monday.

While six other countries in Latin America and the Caribbean have absolute bans on abortion, El Salvador stands out for its high number of convictions and harsh prison sentences, according to reproductive rights activists.

Under El Salvador’s abortion law, medical staff have to report to police pregnant women and girls who they suspect or believe to have induced an abortion.

Women are wrongfully imprisoned and convicted of “aggravated homicide” and given decades-long prison sentences when they in fact suffered miscarriages, still births and other health problems, activists say.

“In El Salvador the right of these women to the presumption of innocence has been violated,” said Morena Herrera, head of local rights group, the Citizen Group for the Decriminalization of Abortion (CDFA).

“This happens mainly to women living in poverty, discrimination and marginalization,” Herrera said.

At least 14 women in El Salvador have been sentenced to prison terms of 12 years or more and nearly 150 women faced legal proceedings for abortion crimes from 2000 to 2014, according to

the CFDA which along with the CRR and two other groups brought the case before the U.N. last year.

In 2017, the U.N. called on El Salvador to issue a moratorium on applying its abortion law and to review all cases where women have been imprisoned for abortion-related crimes.

Last year, El Salvador's Supreme Court commuted 30-year prison sentences of three women convicted of aggravated murder charges for allegedly having abortions, raising hopes that other women jailed on similar convictions would be freed.

In recent years, however, several attempts by lawmakers in El Salvador to ease the abortion ban have failed.

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