

URGENT ACTION

MARÍA TERESA'S RELEASE AT RISK

María Teresa Rivera, a Salvadoran woman recently released after four years in prison for pregnancy-related charges, risks being sent back to trial if the Attorney General decides to appeal the judge's ruling that just set her free.

María Teresa Rivera, 33, was jailed in 2011 and sentenced to 40 years in prison for "aggravated homicide" after having a miscarriage. On 20 May 2016, a judge released María Teresa after reviewing her sentence and ruling that there was not enough evidence to prove the charges against her. However, that same day the Attorney General's Office released a public statement declaring they will file an appeal action and request a review of the latest ruling.

One morning in November 2011, María Teresa's mother-in-law took her to hospital after she found her laying on the floor almost unconscious and bleeding. Still bleeding, a health worker reported María Teresa to the police for "signs of having had an abortion". Police detained and handcuffed her as she lay in her hospital bed.

During her trial, the court ruled that it was not possible that María Teresa did not know she was pregnant, as she had stated. As evidence of this, the court that sentenced her accepted a statement by one of María Teresa's managers, who asserted that María Teresa had informed her in January 2011 that she was pregnant. If this statement were true, then María Teresa would have had to have been 11 months pregnant at the time of her arrest.

In November 2015, El Salvador's Human Rights Ombudperson declared that the authorities had not respected María Teresa Rivera's rights to equality and non-discrimination, as well as her right to due process. The Ombudperson stated that the authorities had violated the principle of the presumption of innocence and that they had not proven María Teresa's guilt.

Please write immediately in Spanish or your own language:

- Urging the Attorney General to desist filing an appeal to reverse the release of María Teresa Rivera.

PLEASE SEND APPEALS BEFORE 17 JUNE 2016 TO:

Attorney General

Fiscal General de la República

Mr. Douglas Meléndez

Email: pccastro@fgr.gob.sv

Fax: +503 2207-3586

Twitter: @PrensaFgr

Facebook: [http://www.facebook.com/Fiscalia-General-de-la-](http://www.facebook.com/Fiscalia-General-de-la-República-de-El-Salvador-222738404531021/?fref=ts)

[República-de-El-Salvador-222738404531021/?fref=ts](http://www.facebook.com/Fiscalia-General-de-la-República-de-El-Salvador-222738404531021/?fref=ts)

Salutation: Dear Attorney General/ Estimado Sr. Fiscal

And copies to:

Deputy Attorney General

Fiscal General Adjunto

Aquiles Parada

Email: aquiles.parada@fgr.gob.sv

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR WERNER MATÍAS ROMERO, Embassy of El Salvador, 8 Dorset Square 1st & 2nd Floors NW1 6PU, 020 7224 9800, Fax 020 7224 9878, embajadalondres@rree.gob.sv, elsalvador.embassy@gmail.com, Salutation: Your Excellency

Please check with your section office if sending appeals after the above date.

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INTERNATIONAL**



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ADDITIONAL INFORMATION

1998 was a watershed moment for women's human rights in El Salvador. This was the year that the government decided to take a retrograde step. While most countries around the world were moving towards a liberalization of restrictive laws on abortion, El Salvador moved to criminalize abortion in all circumstances. Legislation that had previously allowed access to abortion in certain circumstances – namely, when the woman's life was in danger, when the pregnancy was the result of rape or incest, or in cases of severe foetal impairment – was amended. From then on abortion was considered a crime in all circumstances, without exception.

The legal framework in El Salvador not only criminalizes every woman who undergoes an induced termination of her pregnancy, it also creates an atmosphere of suspicion around women who are not receiving medical care when they miscarry or experience other obstetric emergencies. As a result, women who experience complications during pregnancy have been prosecuted on charges of abortion. Some have even been accused of aggravated homicide.

María Teresa Rivera is part of a group of at least 17 Salvadoran women who come from poor and disadvantaged backgrounds and were unjustly imprisoned after unfair trials, which included unreliable and weak evidence, and poor legal defence. All suffered pregnancy-related complications outside a hospital setting, and were initially charged with abortion. They were subsequently sentenced to up to 40 years' imprisonment for aggravated homicide

For more information, see the following blogs: *Jailed in El Salvador after losing their pregnancies* (<https://www.amnesty.org/en/latest/campaigns/2016/05/jailed-in-el-salvador-after-losing-their-pregnancies/>) and *María Teresa thanks supporters after release from jail* (<https://www.amnesty.org/en/latest/campaigns/2016/05/el-salvador-maria-teresa-free/>), report: *Separated families, broken ties: Women imprisoned for obstetric emergencies and the impact on their families* (<https://www.amnesty.org/en/documents/amr29/2873/2015/en/>) and press release: *Release of woman jailed after miscarriage, a victory for human rights* (<https://www.amnesty.org/en/latest/news/2016/05/el-salvador-release-of-woman-jailed-after-miscarriage-a-victory-for-human-rights/>).

UA: 127/16 Index: AM 29/4106/2016 Issue Date: 27 May 2016