

Congress of the United States
Washington, DC 20515

September 25, 2015

Secretary of State John Kerry
2201 C St. NW
Washington, DC

CC: His Excellency Salvador Sánchez Cerén
President of El Salvador
Casa Presidencial
Alameda Dr. Manuel Enrique Araujo No. 5500
San Salvador, El Salvador, C.A.

Dear Secretary Kerry:

As members of the House of Representatives in the 114th Congress of the United States, we write to express our concern regarding a significant ongoing violation of women's human rights in El Salvador. We are deeply troubled by reports of women in El Salvador who are imprisoned for miscarriages or stillborn births, having been prosecuted for aggravated homicide under the no-exceptions ban on abortion. We strongly urge you to call on President Cerén to review the cases of these women who are currently incarcerated, with an eye towards freeing them.

We recognize the significant achievements the Salvadoran government has made in the past year to advance women's rights including the inter-institutional agreement to create specialized courts to adjudicate violence against women and gender discrimination and passing a more comprehensive law to combat trafficking in persons. We also appreciate the continued collaborative relationship the State Department and USAID have with the government of El Salvador and your continued work in support of women's rights throughout the world.

However, as you know, abortion has been illegal in all circumstances in El Salvador since 1998. A woman with severe complications during pregnancy must accept her own death rather than undergo a life-saving abortion procedure because there are no exceptions to this law. The criminal law on abortion in El Salvador specifies sentences between two and twelve years. While this penalty is already unnecessarily harsh, in reality, what we have seen since the total abortion ban went into effect nearly two decades ago is that women who are prosecuted for abortion-related crimes – many of whom experienced obstetric emergencies in the absence of medical attention – are often charged with aggravated homicide, which is punishable by up to 50 years in prison.

“Manuela,” for example, was a 33-year-old Salvadoran mother of two who was convicted for aggravated homicide and sentenced to 30 years after suffering an obstetric emergency. When she arrived at the hospital seeking emergency medical care, she was shackled and accused of murder. She was sentenced without an adequate defense, only meeting her public defenders on the day of her hearing, without being able to speak in her defense, and without the right to appeal

the decision. Separated from her children, Manuela died in prison in 2010. Another woman, Teresa, was unaware that she was pregnant when she delivered a stillborn baby. Despite the lack of evidence suggesting she induced the miscarriage, she was convicted of murder and sentenced to 40 years in prison.


Today, at least 15 other women share stories similar to those of Manuela and Teresa. They come from poor communities with very few resources, and with little or no access to quality maternal health care. And all of them have been convicted of murder for pregnancy-related crimes under El Salvador's laws, and are currently serving 30-to-40-year sentences. Like the cases of Manuela and Teresa, all of these cases raise serious concerns about the women's due process rights and respect for their human rights.

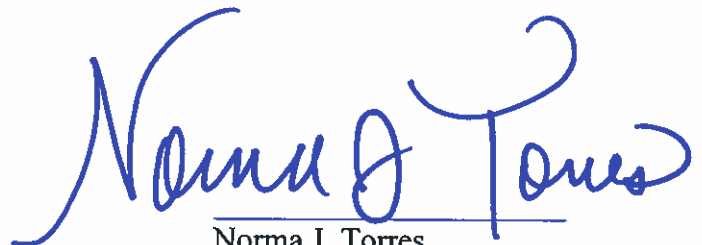
Numerous international human-rights bodies, including those charged with interpreting the International Covenant on Civil and Political Rights (which El Salvador ratified in 1979), the Convention Against Torture (which El Salvador ratified in 1996), and the Convention on the Elimination of All Forms of Discrimination Against Women (which El Salvador ratified in 1981), have cited no-exceptions abortion bans as human-rights violations.

This ongoing human-rights violation must be addressed. For the past few months, human rights organizations around the world have been advocating for the wrongfully imprisoned women in El Salvador, and recently the Legislative Assembly voted to pardon one of the women. But too many women remain behind bars, sentenced for having had, in many cases, nothing more than obstetric emergencies.

In light of these facts, we urge you to continue working closely with the Salvadoran government, lawmakers, and human rights organizations to re-examine the cases of women who remain in prison due to these regressive laws, with particular concern for violations of due process in determining whether to pardon the women or commute their sentences. These women are being denied their basic human rights.

We thank you for your attention to this matter,


Debbie Wasserman Schultz
Member of Congress

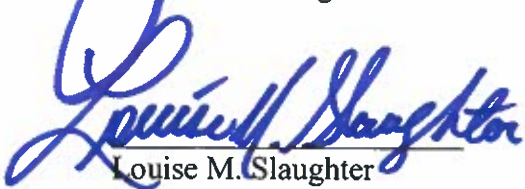

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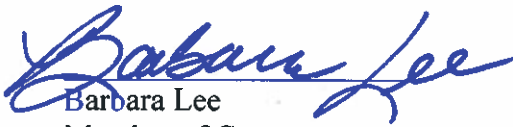

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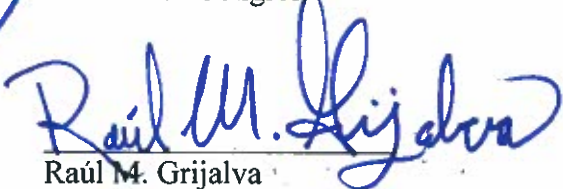
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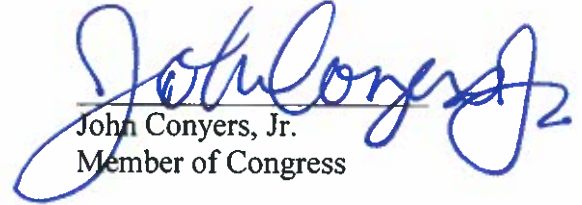
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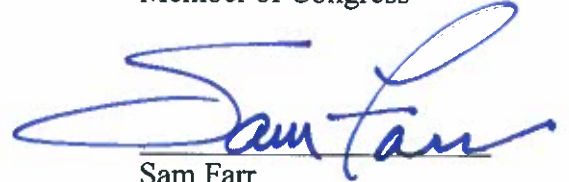
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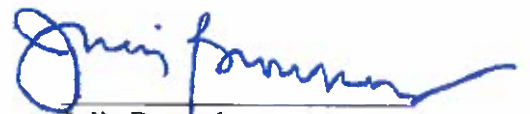
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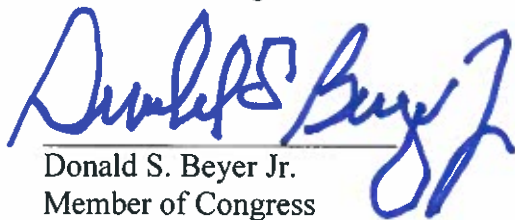
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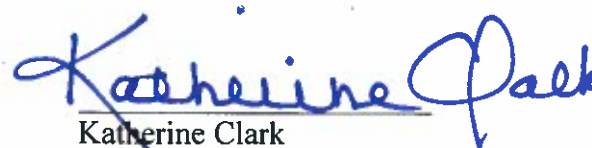
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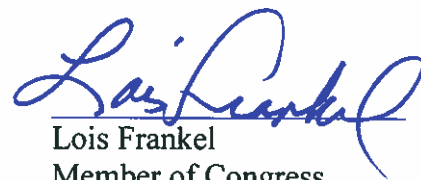
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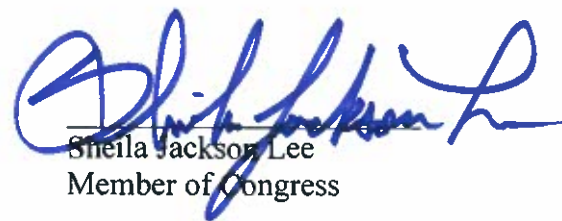
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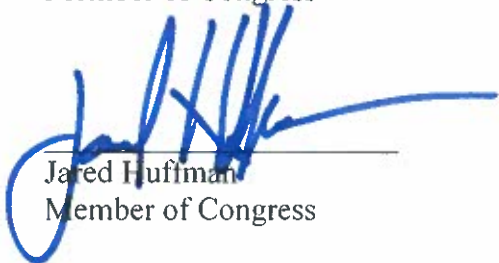
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