

URGENT ACTION

SUPREME COURT OF TUCUMAN ACQUITS BELÉN

On 27 March, the Supreme Court of Tucuman Province, northern Argentina, unanimously decided to acquit Belén, the 27-year-old young woman who had been sentenced to eight years of prison after suffering a miscarriage in a public hospital.

On 21 March 2014, Belén went to the public Hospital Avellaneda in San Miguel de Tucuman complaining of abdominal pain. She was referred to the gynecologist because of heavy bleeding. The doctor informed her that she was having a miscarriage of a foetus of about 22 weeks. Belén said she was unaware that she was pregnant.

Hospital staff later found a foetus in the bathroom and denounced Belén to the police claiming it was Belén's "son", without any evidence or DNA analysis to prove she had any relationship to the foetus. When Belén woke up in her bed after surgery, several police officers were surrounding her and she was subjected to an examination "in private parts of her body", which could amount to cruel, inhuman or degrading treatment. According to international law and standards, non-consensual disclosures of personal medical information, including to law enforcement officials, is a violation of the right to privacy.

Shortly after, Belén was accused of self-inducing an abortion and held in pre-trial detention for over two years. The Third Chamber of the Criminal Chamber of Tucuman then sentenced her to eight years in prison for murder in April 2016.

After an appeal process with the Supreme Court and intense campaigning by Amnesty International and its partners, the Supreme Court of the Province of Tucuman unanimously decided to acquit Belén on 27 March 2017 on the grounds that the judgement under appeal was arbitrary, because insufficient evidence proving Belén guilty had been presented.

No further action is required of the UA network. Many thanks to all who sent appeals.

This is the second update of UA 95/16. Further information: www.amnesty.org/en/documents/amr13/4104/2016/en/

Name: Belén
Gender m/f: f

Further information on UA: 95/16 Index: AMR 13/6037/2017 Issue Date: 5 April 2017

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