



September 12, 2018

Honorable Diputado Guillermo Gallegos
Presidente, Asamblea Legislativa
República de El Salvador
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Honorable Mario Alberto Tenorio
Presidente de la Comisión de Legislación y Puntos Constitucionales
República de El Salvador
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Dear Honorable Presidents:

We write on behalf of Global Doctors for Choice (GDC), an international network of physicians from a range of specialties committed to improving women's reproductive health and rights. GDC is committed to the provision of high-quality medical care grounded in science and to the defense of human rights. We strive to protect and expand access to comprehensive reproductive health care through advocacy for evidence-based policy and medical research.

We urge you to release Imelda Cortez, who is accused of attempted aggravated homicide, as no scientific evidence has been provided in the accusation against her. Additionally, we urge you to reform article 133 of the Penal Code to decriminalize therapeutic, ethical, and eugenic abortion to avoid unjust trials and sentences against young women of scarce resources.

Imelda Cortez has denied knowing that she was pregnant, particularly as she experienced vaginal bleeding during the nine-month period and she was told by her stepfather, who repeatedly raped her and was the proven biological father of the pregnancy, that he was infertile. In April 2017, after Imelda Cortez gave birth, she then sought medical care and presented to a hospital in a poor health condition. Upon examination of Imelda Cortez, the Institute of Legal Medicine (IML) confirmed that a child birth had occurred, that no action was taken to provoke a birth, and that it was a natural birth. Further, the IML confirmed that there appeared to be no intent to harm to the infant, as it appeared to be full term (a gestational age of 38-40 weeks), was well-hydrated, and was and continues to be in good health.

By not presenting evidence for the charge and the defense, the judge did not fulfill his constitutional role. Further, the detention of Imelda Cortez violates conventions and treaties ratified by El Salvador – specifically that a person who has not been convicted may not be imprisoned, unless they are deemed a flight risk.

A doctor's first duty is always to our patients. We are alarmed that someone, particularly the victim of the crime of rape, would be accused of a crime without medical evidence and imprisoned without following proper procedure.

As a global network of physicians, we urge you to conform to evidence-based medical standards of care and thus release Imelda Cortez immediately.

Sincerely,

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