

PUBLIC

AI Index: AMR 22/17/00

Distrib: PG/
SC

To: Health professionals
From: Medical office / South America team
Date: 8 September 2000

MEDICAL LETTER WRITING ACTION

**Delayed medical care
Pedro Rosas Aravena
Chile**

Key words delay of medical care / political prisoner

Summary

Pedro Rosas Aravena, a political prisoner in Santiago, Chile, is in urgent need of further medical tests and possible treatment after an orchidectomy necessitated by cancer of the left testicle. He first reported pain in his testicle in May 2000. Amnesty International is seriously concerned that on several occasions he has not received prompt and immediate treatment to his condition. He finally underwent an operation in July 2000 when his left testicle was removed. A Chilean court ordered the National Director of *Gendarmeria* (Police) to ensure that Pedro Rosas receive immediate and appropriate treatment. Amnesty International is calling for further medical tests to establish if other areas of the body are affected and to provide him with further treatment if necessary.

Recommended actions

Please write letters, preferably in Spanish, or in English:

- introducing yourself as a concerned health professional of Amnesty International's health professional's network;
- expressing concern at a number of delays in medical care provided to Pedro Rosas Aravena, held at the *Unidad Especial de Alta Seguridad*, Special High Security Unit, Preventive Detention Centre of South Santiago, since he complained about pain in his testicle in May 2000 and following his surgery;
- noting that judge Ms Maria Antonia Morales Villagran has ordered the police to enable Pedro Rosas Aravena to receive further medical tests and/or treatment as a matter of urgency;
- noting that Article 19.1 of Chile's constitution guarantees the right to life and that access to medical care is provided for by international human rights standards such as the UN Standard Minimum Rules for the Treatment of Prisoners;
- seeking assurances that Pedro Rosas Aravena is given immediate further tests and treatment as recommended by doctors which may include an abdominal-pelvic scan.

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response. Please check with the medical team if you are

sending appeals after 15 October, and send copies of any replies you do receive to the International Secretariat (att: medical team).

It would be useful to urge medical associations in your own country to write to the Chilean authorities and, in consultation with parliamentary officers and SANDEAN/Chile Coordinators in your section, to write letters outlining the above concerns to the Chile Desk/Latin America Desk at your Ministry of Foreign Affairs.

Addresses

President

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Copies

Human Rights Organization:
CODEPU - (Cooperation of Promotion and Defense of the Rights of the People)
Victoria Subercaseaux 81,
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Fax: 00562 664 6476

and to diplomatic representatives of Chile accredited to your country.

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MEDICAL CONCERN

**Delayed medical care
Pedro Rosas Aravena
Chile**

Pedro Rosas Aravena, a political prisoner in Santiago, Chile, is in urgent need of further medical tests and possible treatment after an orchidectomy necessitated by cancer of the left testicle. He first reported pain in his testicle in May 2000. Amnesty International is seriously concerned that on several occasions he has not received prompt and immediate treatment to his condition. He finally underwent an operation in July 2000 when he had his left testicle removed. A Chilean court ordered the National Director of *Gendarmeria* (Police) to ensure that Pedro Rosas receive immediate and appropriate treatment. Amnesty International is calling for further medical tests to establish if other areas of the body are affected and to provide him with further treatment if necessary.

According to reports, the office of the National Director of Gendarmeria has indicated that an abdominal-pelvic scan required to determine if the cancer has spread to the abdominal lymph nodes has not been authorized because of lack of financial resources. Amnesty International is concerned that this should be used as an excuse to guarantee immediate medical treatment.

Background information

Pedro Rosas Aravena has been imprisoned in Santiago since 1994. Currently he is being held at the Special Unit Of High Security, Preventive Detention Centre of South Santiago. He has been tried by ordinary and military courts on charges under the arms control legislation and illicit association.

His medical history regarding his testicular problem is summarized as follows:

21 May 2000: Pedro Rosas Aravena first reported pain in his testicle and was seen the following day by a doctor;

29 May: an ultrasound was recommended;

28 June: an ultrasound was done, more than four weeks after it was recommended;

20 July: he was seen by a urologist more than three weeks after the ultrasound; he was diagnosed as having a probable tumour in his left testicle;

27 July: Pedro Rosas had his left testicle removed. This was more than two months after he first complained about pain in his testicle. Within 24 hours of his operation Pedro Rosas was taken from hospital back to the prison.

14 August: the Barros Luco Trudeau Hospital confirmed that the tissue removed was cancerous of the type choriocarcinoma. Further tests were recommended to be done as soon as possible.

It now needs to be determined by way of an abdominal-pelvic scan if the cancer has spread to the abdominal lymph nodes and if further surgery or other treatment is needed. However, there has been a further delay in providing Pedro Rosas with more tests and possible further treatment. On 21 August Pedro Rosas' lawyer appealed for her client to receive all necessary tests and treatment. On 23 August judge Maria Antonia Morales Villagran noted in her report the long delays in both having an ultrasound done as well an examination by a urologist. The judge emphasized the importance and urgency of further diagnosis for a full recovery. She concluded her report by ordering the prison authorities to follow the recommendations of Pedro Rosas' doctors as a matter of urgency and to use all necessary means to provide him with the care requested. Furthermore, the prison authorities need to report back to the court on action undertaken.

Right to life and medical treatment

The Chilean Constitution and international human rights law guarantee the right to life. Article 19.1 of Chile's Constitution guarantees the right to life and the right to physical and psychological integrity. The International Covenant on Civil and Political Rights states in article 6 that "every human being has the inherent right to life".

In addition, the UN Standard Minimum Rules for the Treatment of Prisoners state in article 22 (2) that:
"Sick prisoners who require specialist medical treatment shall be transferred to specialized institutions or to civil hospitals".