

## Indefinite re-election and perpetual state of exception worsen the Human Rights crisis in El Salvador

**15 August (RIDHE).**- In recent months, **El Salvador** has deepened its regression in respecting and guaranteeing Human Rights (HR). The recent constitutional reform allowing **indefinite presidential re-election**, extending the term to six years, and eliminating the second-round election has further concentrated power in the Executive Branch. These amendments, approved without adequate public debate, have been highlighted by major international organizations as a serious setback for democracy and the rule of law in the country.

Concurrently, the **state of exception**, implemented since March 2022, has resulted in the detention of over **80,000 people**, many without evidence or due process. Despite a reduction in violence, the repression has disproportionately affected poor and innocent youth, with reports of **torture, hunger, and deaths in prisons**.

Furthermore, **human rights defenders, journalists, and activists** have been subjected to persecution, with documented cases of **arbitrary detention and harassment**, generating an atmosphere of fear and self-censorship in civil society.

Government measures have worsened the vulnerability of the populations with whom the International Human Rights Network Europe (RIDHE) works: **Indigenous communities, women and girls, and other vulnerable groups**, including people displaced by violence, discrimination, or exclusion. Power concentration, criminalization of protest, and denial of basic rights deepen historical exclusion, limit access to justice and essential services, and increase vulnerability to violence and discrimination. These policies undermine the capacity of these communities to fully exercise their rights, defend their autonomy, and participate in decisions affecting their lives.

In view of this reality, **RIDHE expresses its deep concern** and calls on the Salvadoran government to **cease aggressions, guarantee respect for fundamental rights, and restore an effective, inclusive, and safe rule of law for all people**, especially for those historically most vulnerable.

**Discover here the five essential aspects of the human rights situation in El Salvador:**

### Three years of “state of exception” (2022–2025)

Since **27 March 2022**, El Salvador has maintained a state of exception with

continuous extensions. Over the past three years, more than **85,000 people have been mass detained**, and the prison population exceeds **100,000–110,000**, placing the country among the highest incarceration rates in the world. Hundreds of deaths in custody have been documented, as well as cases of **torture, short-term enforced disappearances, and severe restrictions on due process**. Children and adolescents have been detained without evidence of gang affiliation, and abuses are repeated systematically. This pattern reflects a security model implemented at the expense of **fundamental rights** and deepens population vulnerability.

## **The last year (2024–2025): persistence of arbitrary detentions, deaths, and opacity**

Mass arrests, collective hearings, extensive use of pretrial detention, and restrictions on legal defense have been recorded, while official data remain opaque, hindering independent oversight. Recent reports indicate that the prolonged suspension of guarantees violates **inter-American standards** and that criminal reforms have facilitated systematic abuses. Extreme overcrowding and new deaths in custody without effective investigations have also been documented, evidencing a persistent pattern of violations of fundamental rights.

## **Reforms and decisions contrary to the Constitution**

In February 2025, President **Nayib Bukele** began his immediate second term (2024–2029), enabled by a constitutional reform allowing **indefinite re-election**, extending the presidential term from five to six years, and eliminating the second-round electoral system. These changes, along with judicial rulings and institutional reforms that weakened the independence of the judiciary, consolidate an unprecedented concentration of power, directly affecting democratic stability and the rule of law in El Salvador.

Simultaneously, civic space has been restricted with the approval of the **Foreign Agents Law (20 May 2025)**, which requires registration for those receiving foreign funding, imposes a 30% tax on international financing, and limits activities considered to have “political purposes,” including sanctions that may lead to the cancellation of legal status. The combination of these reforms has created a pressured environment for **human rights organizations and independent media**, leading to the suspension of some NGOs’ operations, reflecting a governance model that prioritizes power consolidation over the protection of fundamental rights.

## **Persecution of human rights defenders, the press, and civil society**

Between May and June 2025, persecution of human rights defenders, community leaders, and government-critical professionals intensified. Among those detained were lawyer **Ruth Eleonora López (Cristosal)**, lawyer and environmental defender **Alejandro Henríquez**, pastor and community leader **José Ángel Pérez**, and constitutional lawyer **Enrique Anaya**, who were provisionally arrested without guarantees, in processes showing political motivation, with reports of health deterioration in custody. These cases reflect a systematic pattern of **criminalization and use of the penal system to intimidate those who monitor abuses, defend rights, or lead community actions.**

## Recommendations and International Standards

Restoring the rule of law and fully guaranteeing human rights in El Salvador requires urgent measures that strengthen **judicial independence**, protect human rights defenders, journalists, and community leaders, and ensure compliance with international standards. It is essential to **gradually lift the state of exception**, restore fundamental guarantees such as **effective habeas corpus**, timely legal defense, and judicial oversight of detention according to the **American Convention on Human Rights** and **Inter-American Court of Human Rights jurisprudence**, and independently review processes and convictions obtained without due process, with participation of the **Human Rights Ombudsman** and civil society.

All deaths in custody, torture, and disappearances must be impartially investigated, guaranteeing access for families and defense, application of international protocols, and accountability of those responsible, along with a unique detainee registry and periodic visits by international mechanisms.

Regarding civic space and constitutional reforms, it is urgent to **reform the Foreign Agents Law** to remove disproportionate restrictions on freedom of association, expression, and international funding, and reopen a participatory process to reverse indefinite re-election, restoring institutional checks such as the second-round election. Independent mechanisms for **comprehensive reparation and accountability** must also be established, guaranteeing truth, reparation, guarantees of non-repetition, and strengthening judicial independence, the Attorney General's Office, and the autonomy of the Human Rights Ombudsman.