

Monitoring Report on the Recommendations Issued by the IACHR within the Framework of the State of Exception in El Salvador

Nov. 2025

Executive Summary



I. Executive Summary

This executive summary synthesizes the most relevant findings regarding compliance with the recommendations issued by the Inter-American Commission on Human Rights (IACHR) in the context of the state of exception in force in El Salvador since March 2022. The analysis is organized into six thematic areas and demonstrates a lack of substantive progress in human rights, transparency, and accountability.



Axis 1: Public Policies

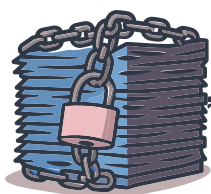
To date, the Territorial Control Plan (PCT) and the National Policy on Security and Social Justice are in place; however, they lack clear mechanisms for citizen participation and do not include public monitoring reports. Only actions aligned with the PCT have been reported in the annual reports of the Ministry of Security and Justice (MSPJ), consisting mostly of investments focused on institutional modernization.

Likewise, there is no specific policy to provide assistance to victims—whether of crimes perpetrated by gangs or of abuses committed under the state of exception. Only isolated measures have been identified, but these do not amount to a comprehensive victim assistance policy. In addition, the State has repeatedly denied the existence of human rights violations and deaths in state custody. This refusal not only impedes the development of a reparation plan but also prevents the implementation of any comprehensive reparation measures, including restitution, rehabilitation, compensation, satisfaction, and guarantees of non-repetition for the harm suffered by victims of human rights violations.

Similarly, no monitoring or evaluation is being carried out regarding the State’s response to these violations. Instead, the threat of re-arrest persists, as the vast majority of individuals granted release measures still face ongoing criminal proceedings, limiting their freedom and affecting their life plans.

Furthermore, the role of the armed forces in public security tasks has intensified, with significant budget increases and an expanded military deployment in security operations in recent years.

Axis 2: Regulatory and Legislative Reforms



The state of exception has been extended 44 times, maintaining reforms that restrict fundamental rights such as mandatory pretrial detention and the anonymity of judges. Prolonged detentions without due process persist, even in cases where individuals possess release orders.

Contrary to the Commission’s recommendations, regressive reforms have been approved in juvenile justice, including sentences of up to 20 years in prison for adolescents and youth. Reforms allowing the transfer of individuals under the age of 18 to adult prisons have also been enacted.

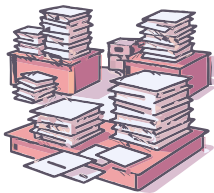
Families of individuals deprived of liberty continue to face profound uncertainty, as family visits to detention centers have been prohibited for more than five years, resulting in physical and emotional harm—particularly for children and adolescents who, in many cases, have been left without parental care. Likewise, lawyers and relevant authorities have faced difficulties verifying the conditions and health status of individuals held in detention centers.

To date, there has been no substantive progress in ratifying international treaties such as:

- The Inter-American Convention on Forced Disappearance of Persons;
- The International Convention for the Protection of All Persons from Enforced Disappearance;
- The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity;
- The Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Likewise, no progress has been made in the creation of a National Mechanism for the Prevention of Torture.”

Axis 3: Institutional Strengthening



Key institutions such as the Office of the Public Defender (PGR), the Office of the Attorney General (FGR), and the Judiciary lack validated technical assessments and improvement plans. These institutions have also experienced budget cuts and forced staff resignations, further overburdening the public defense system. It is estimated that each public defender handles an average of 206 cases related to the state of exception, directly impacting the effectiveness of proceedings and due process guarantees.

Currently, there is no publicly available information regarding the number of State personnel trained in key areas such as deprivation of liberty, use of force with a human rights approach, gender, and differentiated approaches. Requests to access this information through public information petitions were unsuccessful. The absence of data on training has serious implications: it enables the disproportionate use of force by security forces—as evidenced by numerous documented cases—and facilitates the generalized use of deprivation of liberty as a mechanism to control civil society.

Axis 4: Minimum Conditions of Detention



Since the implementation of the state of exception, numerous reports have documented inhumane conditions in detention centers, including cells holding more than 100 people without adequate ventilation and, in some cases, without access to sanitation, food, or potable water.

According to World Prison Brief estimates, as of May 2024 El Salvador had the highest incarceration rate in the world, with 1,086 detainees per 100,000 inhabitants.

According to estimates from SSPAS, as of November 2025 the rate of individuals deprived of liberty in El Salvador reached 1,894 per 100,000 inhabitants, remaining the highest globally. Additionally, approximately 2.59% of the total adult population in the country is incarcerated.

It is further estimated that as of November 2025 overcrowding levels reached 387.5%. In contrast, the CECOT facility is estimated to be occupied at 36.4% of its capacity.

At the time this report was completed, no official information had been obtained regarding measures adopted by the State to address deficiencies related to minimum conditions of detention. Conversely, multiple testimonies from victims formerly detained in these centers indicate the persistence of inhumane conditions, mistreatment, and cruel, inhuman, and degrading treatment. Moreover, the Directorate General of Prisons did not provide the information needed to measure progress on indicators related to detention conditions.

Axis 5: Procedural Guarantees and Access to Justice



To date, no effective measures have been identified to guarantee due process or to investigate cases of torture or deaths in custody. Instead, State institutions have remained silent and withheld information regarding possible custodial deaths and extrajudicial executions reported by civil society organizations in the context of the state of exception.

The State has not adopted measures to ensure due process for detainees, as arrests continue to occur without legal basis and without informing individuals of the reasons for their detention. With respect to access to legal defense, the justice system shows a severe backlog that prevents effective legal assistance and hinders access to justice for thousands of individuals unjustly detained under the state of exception.

Officially, there is no accessible, available, and safe complaint system for individuals deprived of liberty. The existing system faces significant difficulties in processing complaints. No public information was found regarding initiatives to improve its functioning, as confirmed through the institutional websites of the Ministry of Security and Justice, the Directorate General of Prisons, the Office of the Human Rights Ombudsperson, and the Office of the Attorney General.

Axis 6: Access to Information, Transparency, and Accountability



Regarding access to information, the Salvadoran State does not disclose structured or disaggregated public data—by gender, age, location, or other sociodemographic variables—on arrests carried out under public security policies, particularly under the Territorial Control Plan and the state of exception. Data requested through public information petitions are frequently denied, and some institutions do not even issue admission resolutions.

Despite the existence of numerous victims of human rights violations under the state of exception, the State has yet to establish an official registry accessible to victims and civil society. No efforts have been made to create consultation mechanisms between civil society and State institutions. Instead, the State has rejected requests from human rights organizations to repeal the state of exception and has accused them of “defending criminals.” This has fueled the criminalization of human rights organizations, whose work challenges the official narrative that no human rights violations have occurred.

The functioning of Access to Information Units shows serious limitations in providing public information, reflecting low institutional effectiveness in response mechanisms, transparency, and accountability. The principle of maximum disclosure has not been upheld, as many information requests remain unanswered or receive incomplete responses.

Finally, the State has demonstrated limited institutional openness toward international human rights monitoring mechanisms, repeatedly denying the Inter-American Commission on Human Rights the opportunity to conduct a working visit.

In conclusion, monitoring of the recommendations issued by the IACHR reveals a systematic pattern of civic space closure, institutional weakening, and violations of fundamental rights. The lack of progress or measures to comply with these recommendations seriously undermines the rule of law and the protection of human rights in El Salvador.

