



## **Tom Lantos Human Rights Commission**

### **Hearing Notice**

### **The State of Exception in El Salvador: Year Five**

**Thursday, April 16, 2026**

**2:00 p.m. – 4:00 p.m.**

**1334 Longworth House Office Building**

**Co-Chair James P. McGovern**

#### **As delivered**

Good afternoon.

I am pleased to welcome you to this afternoon’s Tom Lantos Human Rights Commission hearing on human rights in El Salvador.

This is our third hearing on the state of exception in El Salvador.

The first was in September 2022 — six months after the Salvadoran legislature approved President Nayib Bukele’s request for a *30-day* “state of exception” to deal with gang violence. The government argued that a suspension of civil liberties and rule of law was necessary to deal with the problem.

The second was in December 2024, with the state of exception on its 33rd extension. Witnesses testified to continuing violations of human rights in that country.

I saw this with my own eyes. I had just returned from a visit to the country to commemorate the 35th anniversary of the assassination of six Jesuit priests, their housekeeper and her daughter by U.S.-trained Salvadoran security forces.

In El Salvador, what I found was an atmosphere of fear and self-censorship. Family members cried as they told me how their sons and daughters, husbands and wives, brothers and sisters, were captured by security forces, how they tried in vain to find out where their relatives had been taken and why, and to provide them with needed food and medicine — only to learn that they had died in custody in unknown circumstances.

As we convene this hearing, the state of exception has been renewed *49 times*.

A state of exception, by definition, should be just that — a temporary measure designed to address an extraordinary circumstance.

Now in its *fifth year*, we must ask whether it has become a state of permanence.

President Bukele said it was to deal with gang violence — long a persistent threat to the lives and livelihoods of Salvadorans. No one disputes that the government is obligated to respond to gang violence—the Universal Declaration of Human Rights provides that everyone has the right to life, liberty and security of person.

But international human rights law also obligates the government to protect people from abuses like enforced disappearances and arbitrary detention and to guarantee their right to freedom of assembly and expression, including to a free press.

Key questions we hope to address today:

- Has the state of exception gone beyond its original stated purpose and become a tool to cement authoritarian control for a President who engineered himself a second unconstitutional term in office?
- Does international human rights law have a “popularity” exemption from obligations? In other words, does the purported

popularity of a government leader immunize him or her from accountability for human rights violations on his watch?

Let us take stock of what has happened since our last hearing:

1. The Inter-American Commission on Human Rights expressed “grave concern” about restrictions on human rights defenders and civic space;
2. UN experts condemned the enforced disappearance of human rights defender Ruth López;
3. Human Rights Watch and Cristosal issued a comprehensive report on torture and other abuses against Venezuelans in the CECOT prison;
4. Freedom House assessed El Salvador, along with Madagascar, with the third largest decline in political rights and civil liberties in the world;
5. Reporters Without Borders ranked El Salvador low in its press freedom ranking— at number 135, one spot above Somalia—noting

that government persecution and harassment has forced many media outlets to close or to flee the country;

6. An international group of human rights experts assessed that crimes committed by the government during the state of exception may constitute crimes against humanity.

And what did the State Department say in its annual report? “*There were no credible reports of significant human rights abuses.*” That’s the State Department’s annual report.

This is a lie. I have been there. I have seen the results of these abuses with my own eyes. I’ve talked to countless Salvadorans who have come to Washington to give their personal testimony.

This is an insult. To all those whose human rights have been violated.

This is a cover-up. Previous annual reports documented human rights abuses by Salvadoran security forces and in Salvadoran prisons.

It calls into question the integrity of the Human Rights Report under Secretary Rubio. It makes us wonder whether the Administration is putting personal politics above human rights.

Both Co-Chair Smith and I have said on numerous occasions that we should not be afraid to criticize our *own* government when it comes to human rights.

Sometimes, it is when our government is not doing enough. Other times, it is because we are taking the entirely wrong approach.

I take a firm position that the United States government should not be complicit in human rights abuses committed by other governments. That was the principle behind the Uyghur Forced Labor Prevention Act, the bipartisan bill which Senator Rubio, Co-Chair Smith, Senator Merkley and I successfully got into law. That principle should apply with El Salvador too.

As always, we depend on witnesses to offer recommendations for U.S. policy. Today that is especially relevant.

I look forward to the testimony.