

House Foreign Affairs Committee  
Tom Lantos Human Rights Commission

Hearing  
on  
**The State of Exception in El Salvador**

Thursday, 04/16/2026  
2360 Rayburn House Office Building

Statement of Noah Bullock  
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Chairman, Ranking Member, distinguished members of the Commission — After four years under a state of exception, the suspension of rights in El Salvador cannot be justified as a legitimate emergency measure to protect citizens from crime. The state of emergency was not a temporary deviation from constitution norms and international human rights standards, but the structural basis on which serious human rights violations and the concentration of power could be normalized under the guise of legality.

There is no doubt that the security environment in the country has been transformed under the state of exception; the criminal violence of the gangs has been replaced by the crimes and violence of an autocratic regime.

In 2024, a group of independent international legal experts known as GIPES was formed to investigate alleged serious human rights violations under the state of exception in El Salvador. After two years of investigation, the group published its conclusion in March that there are reasonable grounds to believe that crimes against humanity have been committed in El Salvador. The group's conclusion is based on an abundance of evidence demonstrating the existence of mass arbitrary and systematic detentions — including of children and adolescents — torture, murders, enforced disappearances, rape and sexual violence, persecution, and other inhumane acts. The group concluded that these crimes were neither random nor isolated, but constitute a coherent, planned, and sustained pattern of state action against the civilian population.

I have annexed the full report to my statement for this Commission's records.

As we sit in this hearing today, Salvadorans continue to suffer and new cases of torture and deaths in state custody emerge. Since January alone, our team of investigators has registered 90 new prison deaths, bringing the total number of deaths documented by Cristosal to 519 — of which 420 have been fully documented.

Our methodology for case documentation draws on health records, death certificates, coroner's reports, witness testimonials, photographic evidence, and forensic assessments conducted by external experts. The causes of death identified in our investigations reveal a consistent pattern of severe physical violence, medical neglect, and inhumane conditions directly attributable to the state.

Physical violence is reflected in 181 deaths where pulmonary or cerebral edema was listed as the official cause, and 168 cases where victims sustained trauma to the head, chest, or abdomen — injuries consistent with beatings. Hypovolemic shock, linked to hemorrhage, dehydration, or burns, accounts for an additional 24 deaths. Sixteen detainees died of asphyxia by hanging or strangulation; though six were classified as suicides, evidence in at least five contradicts that finding.

Denial of medical care is evident in the 73 deaths attributed to cardiac conditions, 71 to infectious diseases including pneumonia, tuberculosis, and meningitis, and 54 directly to infection. Sepsis claimed 49 lives. Renal failure developed in 52 detainees — 33 of whom had no prior diagnosis, strongly suggesting their condition was caused by confinement itself.

Inhumane conditions are further demonstrated by 36 deaths from severe malnutrition and 7 from dehydration, reflecting deliberate deprivation of food, water, and basic hygiene.

Fourteen individuals were released from their pretrial detention only after their health had catastrophically deteriorated, dying within days or weeks of returning home. The victims were predominantly young people under 25; all were detained under the state of exception, imprisoned without due process, and disappeared into prisons without contact with their family or legal defense. None were convicted of any crime before their death in the custody of the state.

In March of last year, this prison system — already the site of mass and systematic human rights violations and operating unrestrained by the rule of law — was commodified, and the ability to incarcerate indefinitely thousands without due process was contracted out to the United States government to detain migrants at the President Bukele's Terrorism Confinement Center (CECOT).

In a joint report published last November, Cristosal and Human Rights Watch documented the systematic torture and sexual abuse inflicted on Venezuelan migrants while imprisoned at CECOT. The treatment of these men — who were some of the highest-profile prisoners in the hemisphere at the time — demonstrates the extent to which torture has become institutionalized in the prison system. Cristosal supported 76 families of detainees in presenting habeas corpus claims to the Salvadoran high court. None of them received responses demonstrating both the complicity of the Salvadoran court in human rights abuses and the degree to which hundreds of migrants were disappeared into a judicial black hole without trial.

Under the Bukele regime, the Salvadoran justice system and prisons have become tools for the punishment and intimidation of dissent. In March Cristosal published a study of 245 cases of citizens who suffered judicial and extrajudicial persecution due to their profiles as members of the political opposition, community leaders, environmental and human rights defenders, journalists, academics, and even former allies and collaborators of the Bukele regime. The study includes the case of the disappearance, torture, and killing of former friend and advisor to the president, Alejandro Muyschondt, after he denounced corruption in the president's party. The report also documents a pattern of persecution of family members as retribution against Salvadorans who make critical statements about the regime, exemplified by the detention of the son of indigenous leader and environmental activist Silverio Morales.

The report assesses 186 cases of judicial persecution, 86 of which remain in prison. These cases demonstrate how the exceptions to due process rights — allegedly necessary to combat organized crime in the country — are now being used against human rights defenders, like my friend and colleague Ruth López, the head of Cristosal's anti-corruption unit.

Ruth was arrested last May and has been in prison for nearly a year without trial. For the majority of her imprisonment, she has been held incommunicado, without access to her family or legal counsel. At the request of the prosecution, the judge ruled that Ruth will be tried in secret, despite her demand for a public trial. Her arrest and the judicial proceedings against her have been riddled with irregularities and illegalities that make clear the regime's intent to punish Ruth for her role in the fight against corruption, and to send a message to the Salvadoran public to deter and silence dissent.

I ask the honorable members of this Commission to join Ruth's family in demanding that her rights to a fair, speedy, and public trial be upheld; that she have access to her family and defense team while held in detention; and ultimately, that she be released from pretrial detention, which in the Salvadoran legal system should be the exception, but under the Bukele regime has become the standard.

With tens of thousands of Salvadorans detained and disappeared under the state of exception, Ruth's arrest, and the capture of constitutional lawyer Enrique Anaya days later, denoted an exodus of civil society leaders, human rights defenders, and journalists. They rationally determined that the Bukele regime has unrestricted power to arrest and detain indefinitely whoever it wants, and that there are no institutions in the country with sufficient independence and authority to intervene to protect the of rights citizens.

Populations across Latin America are anxious for strong state responses to crime and violence in their communities. The Bukele regime invests millions to promote and popularize its brand of authoritarian security across the region and the world. But it is important to remember that strong states guarantee security while protecting rights. Weak, corrupt and autocratic states, by contrast, to cling to power and concentrate privilege under the guise of permeant states of emergency.

The Bukele regime insists that anyone who questions their security model is defending the rights of criminals over the rights of victims. The regime is profoundly mistaken on this point. Human rights organizations have advocated for the rights of and provided assistance to victims of gang violence for years. We are in full agreement that the state has a responsibility to protect citizens from crime and violence — our disagreement with the regime centers on the necessity of using policies that amount to crimes against humanity to achieve it.