

House Foreign Affairs Committee
Tom Lantos Human Rights Commission
Hearing on The State of Exception in El Salvador: Year Five

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1334 Longworth House Office Building

Statement of Juan Pappier
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I am honored to appear before this commission to testify, on behalf of Human Rights Watch, regarding the human rights situation in El Salvador during the ongoing state of emergency.

For four years, El Salvador has been under a state of emergency that suspends basic due process rights. Security forces have conducted hundreds of indiscriminate raids, and report arresting [over](#) 91,000 people. Homicide rates have dropped significantly and in our interviews across the country people consistently report feeling safer from the gang violence that terrorized communities for decades.

At the same time, security forces have committed widespread human rights violations.

Through interviews in El Salvador and reviews of judicial documents, we have identified dozens of arbitrary arrests of people with no connections to gangs. Victims include children, boys and girls, as young as twelve, as well as people with disabilities, and other ordinary, hardworking Salvadorans.

Police officers have [told](#) Human Rights Watch that some arrests are driven by a policy of “[quotas](#),” requiring officers to arrest a certain number of people per day. They’ve also told us of arrests based on dubious or fabricated evidence, including patently false information included in police reports, and on uncorroborated anonymous calls. The officers described a climate of impunity that led some to demand bribes and, in some cases, sex from women in exchange for not arresting their relatives.

Roughly 90 percent of those detained during the state of emergency remain in pre-trial detention, according to [government figures](#). President Bukele has argued that police officers around the world [make mistakes](#) and that the justice system will eventually release those arbitrarily detained. However, a combination of lack of judicial independence, sweeping changes to criminal laws that undermine due process, and the immense workload faced by public defense lawyers makes it harder, if not virtually impossible, for many detainees to obtain meaningful legal recourse. Police officers told us that they have instructions to immediately re-arrest people

who have been released. We have documented several cases of detainees who have not been released, despite judicial orders. Lawmakers have created “mass hearings,” where reportedly [up to 1,800](#) people have been taken together before a judge, in ways that make it virtually impossible to assess whether each of them bear criminal responsibility. Defense lawyers told us that some of these hearings are conducted in just a few hours, and that prosecutors often rely on written statements by witnesses who entered plea agreements or on generic police or intelligence reports that do provide specific evidence against each individual detainee.

In the meantime, the people detained remain in inhumane prison conditions exposed to a high risk of abuse. Even after the inauguration of Center for Confinement of Terrorism (CECOT), the largest prison in the Western Hemisphere, Human Rights Watch estimates that El Salvador is still exceeding its prison capacity by 238 percent, with 117,000 being held in prison for up to 50,000. Former detainees we interviewed describe being held in cells with so much overcrowding they can barely move, and where they need to “sleep standing” or “take shifts to sleep lying on the floor.” Over 400 people have died in prison since the state of emergency began, according to [Cristosal](#), and our findings based on interviews and forensic analysis point to state responsibility in some of these cases.

We have also documented multiple cases of torture against detainees. These include severe beatings, waterboarding, mock executions, among others.

Our latest report, “*You Have Arrived in Hell*,” conducted jointly with Cristosal, documents similar cases of torture and other forms of abuse against the Venezuelan deportees the United States sent to El Salvador last March. The report, based on almost 200 interviews and forensic and digital evidence, finds that these men were subject to arbitrary detention, enforced disappearance, torture, inhumane detention conditions and, in some cases, sexual violence.

The Venezuelan men told us they were tortured on a near daily basis. They were beaten when they arrived, they were beaten during daily searches, they were beaten for speaking with the Red Cross, they were beaten for speaking to each other, they were beaten for asking to see a doctor. We found that these abuses were not isolated incidents by rogue guards or riot police, but rather systematic violations that appeared to be designed to subjugate, humiliate, and discipline detainees.

Mr. Chair, the US Congress should work to end the United States uncritical support to the Bukele administration and its complicity with grave abuses against deportees sent to El Salvador. Given the evidence of torture, nobody else should be transferred to Salvadoran prisons. Any financial, technical, or security assistance to El Salvador’s prison system or security forces should be conditioned on demonstrable improvements in human rights. Senior officers responsible for grave human rights violations should be sanctioned, not applauded.

Thank you,