

COUNTRY REPORT: EL SALVADOR

THE LEGAL PROFESSION UNDER SIEGE

FEBRUARY, 2026



About the organisations:

Lawyers for Lawyers (L4L) is an independent, apolitical, non-profit organisation founded in 1986. Our mission is to promote the independent functioning of lawyers and the legal profession worldwide, in accordance with internationally recognised norms and standards, including the United Nations Basic Principles on the Role of Lawyers. Our work in support of lawyers at risk in the exercise of their professional duties aims to protect them from threats, risks and reprisals, strengthen their international recognition and protection in law, policy and practice, and empower them to fulfil their role as essential agents of the administration of justice. *Lawyers for Lawyers* was granted special consultative status with the United Nations Economic and Social Council in July 2013.

The International Observatory for Lawyers at Risk (OIAD) is an initiative of the Conseil National des Barreaux (France), the Paris Bar Associatio, (France), the Consejo General de la Abogacía Española (Spain) and the Consiglio Nazionale Forense (Italy). The OIAD's fundamental objective is to defend the right to practise the legal profession freely and with complete independence, and to denounce situations that violate the right to defence. The Observatory was created with the aim of coordinating its work with third parties, networks and mechanisms operating in the field of the protection of the legal profession in general and human rights lawyers in particular. The Observatory gathers a large number of professional associations and civil society organisations, enabling it to become a leading player in the defence of lawyers at risk at national and international level.

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Introduction

Over the past few years, El Salvador has experienced a serious and sustained deterioration of the rule of law, marked by the concentration of power in the executive branch, the erosion of judicial independence, and the weakening of institutional checks and balances. In this context, the practice of law has been particularly affected due to its fundamental role in guaranteeing access to justice, defending fundamental rights, and monitoring the legality of state actions, creating an increasingly restrictive environment for the independent practice of the profession, especially for those who represent victims of human rights violations.

Context

The erosion of the separation of powers intensified in May 2021, when a new Legislative Assembly, dominated by the ruling Nuevas Ideas party, immediately dismissed the judges of the Constitutional Chamber of the Supreme Court of Justice and the Attorney General of the Republic without due process.¹ Subsequently, in August 2021, reforms to the Judicial Career Law² and the Organic Law of the Attorney General's Office³ were approved, allowing for the mass removal of judges and prosecutors based on age criteria and expanding the discretionary powers of transfer and dismissal, without effective guarantees of due process, by the Supreme Court of Justice and the Attorney General's Office. These reforms have been widely questioned by international human rights organisations, which have called for respect for the guarantees of judicial independence.⁴

The deterioration of the rule of law has been exacerbated by the implementation of a state of emergency in force since 27 March 2022, which has been repeatedly extended to date.⁵ Under this regime, fundamental rights and guarantees, such as the inviolability of communications and the right to defence, have been suspended. Various international organisations, including the Inter-American Commission on Human Rights, have urged the Salvadoran State to restore constitutional guarantees and ensure that security policies respect human rights.⁶ This process of institutional weakening has been reinforced by a constitutional reform that allows for indefinite presidential re-election, which has been

¹ IACHR. [Press Release No. 110/21](#).

² Legislative Assembly of El Salvador. [Decree No. 144](#). 31 August 2021.

³ Legislative Assembly of El Salvador. [Decree No. 145](#). 31 August 2021.

⁴ IACHR. [Press Release No. 234/21](#).

⁵ Legislative Assembly of El Salvador. [Decree No. 333](#). 27 March 2022.

⁶ IACHR. [Press Release No. 058/23](#)

identified by international organisations as contrary to the standards of a representative democracy.⁷

Another relevant element is the approval of the Foreign Agents Act,⁸ passed in May 2025, which imposes a 30% tax on the financial operations of non-profit organisations when the funds come from abroad. The law also grants the executive branch discretionary powers to revoke legal status and impose fines of up to \$250,000⁹. Its adoption has contributed to a campaign of stigmatisation against human rights defenders and international humanitarian cooperation. As a result, several civil society organisations have ceased operations in El Salvador.

Current situation of the legal profession in El Salvador

In this context of weakening rule of law, human rights defenders in El Salvador face a sustained environment of harassment and repression, which since May 2025 has systematically extended to lawyers, especially those representing persons detained under the state of emergency or working in areas of public interest such as human, labour and environmental rights. In turn, legal professionals who publicly question legal reforms, denounce abuses of power or exercise their right to freedom of expression face intimidation mechanisms that have a chilling effect and restrict their ability to act independently and without fear of reprisals, affecting their fundamental role in guaranteeing access to justice and defending fundamental rights.

The identified **patterns of persecution** undermine both the individual and professional rights of lawyers. These include intimidation, **smear campaigns—with a particular impact on women lawyers—surveillance, unfounded raids and searches, enforced disappearances inside and outside the judicial and prison systems, arbitrary detentions, criminalisation, cruel, inhuman or degrading treatment**, which often includes systematic incommunicado detention and **arbitrary disciplinary proceedings**.

Those who **are criminalised** are subjected to criminal proceedings that lack fundamental judicial guarantees. **Trials are conducted in secret, effective communication with their lawyers** is limited or **denied**, and hearings are virtually non-existent or reduced to the

⁷ IACHR. [Press Release No. 156/25](#).

⁸ Legislative Assembly of El Salvador. [Foreign Agents Act](#). 29 May 2025.

⁹ Amnesty International. (2025, 23 May). *El Salvador intensifies its crackdown on civil society*. <https://www.amnesty.org/es/latest/news/2025/05/el-salvador-profundiza-el-asedio-a-la-sociedad-civil/>

immediate imposition of preventive detention. Procedural deadlines are extended, creating a context of **sustained legal uncertainty**. In addition, cases are often initiated **without clear grounds**, based solely on unfounded police reports, prosecutorial orders without prior investigation, or decisions by judges whose identities are not disclosed ("faceless judges"), which violates the principles of the right to a fair trial. Faced with this situation, some human rights defenders and legal professionals have chosen **exile or have been forced to accept positions under pressure**, reflecting a systematic undermining of professional independence and effective access to justice.

Furthermore, these restrictions directly affect the **professional rights of lawyers** practising criminal defence. The **inability to maintain adequate contact with their clients** not only violates the right to defence, but also the right of lawyers to effectively represent their clients and maintain confidential communications. The **systematic application of confidentiality** in cases exposes them to the **risk of criminalisation** in the event of any information leak.

Likewise, the **Foreign Agents Act** constitutes an additional obstacle to the free exercise of the profession, as it restricts access to legal aid, affects the speed and effectiveness of legal services, and discourages international funding for the defence of human rights due to the high fiscal cost and the risk of subsequent criminalisation proceedings.

In this context, lawyers practise their profession **without an autonomous professional organisation to represent their interests, guarantee their independence or protect them from reprisals**. Although there is a law regulating the profession, it concentrates powers in the Supreme Court of Justice, which exercises disciplinary functions over lawyers, notaries and judges, restricting the autonomy of the profession. The lack of an autonomous professional body had already been pointed out in 2012 by the **UN Special Rapporteur on the independence of judges and lawyers**, who recommended the creation of an organisation responsible for protecting the integrity and practice of the legal profession.¹⁰ To date, this recommendation has not been implemented, leaving the legal profession in a particularly vulnerable position in the face of state pressure.

On the **administrative level**, lawyers face various forms of **reprisals directly related to the exercise of their profession**. In particular, there have been documented cases of selective disciplinary investigations initiated by the Supreme Court of Justice against lawyers who represent human rights cases or defend persons detained under the state of emergency.

¹⁰ [A/HRC/23/43/Add.1](#)

These disciplinary proceedings carry the **risk of temporary suspension** or **permanent disqualification** from professional practice, which substantially limits the affected lawyers' access to job opportunities, contracts, and professional accreditation processes.

There are also reports **of systematic stigmatisation of those who defend people detained under the state of emergency**, which affects their professional reputation and restricts the free and independent practice of law. In this context, the threat of prolonged disciplinary sanctions is used as a pressure mechanism to induce acceptance of charges or deter the taking on of cases considered sensitive. In this way, the **disciplinary system is instrumentalised** to condition the professional practice of law and restrict effective access to justice, in contravention of international standards on professional independence.

Overall, these factors strengthen an environment in which the **independence of the legal profession is systematically threatened** and **professional practice is conducted under conditions of constant risk**. The threat of sanctions and constant pressure on professional practice have a **deterrent effect** that has significantly reduced lawyers' willingness to take on cases of public interest.

Notable cases:

Ruth López

Ruth Eleonora López Alfaro is a lawyer specialising in constitutional law and director of Cristosal's Anti-Corruption and Justice Unit. She has played an active role in publicly denouncing notorious cases of corruption against the current Salvadoran government. She was arrested at her residence on 18 May 2025, accused of alleged illicit enrichment. The authorities did not reveal her whereabouts to her family or lawyers until 20 May 2025, which constituted a situation of enforced disappearance until that time.¹¹ On 4 July, she was transferred to a prison and since then, neither her family nor her legal team have been able to visit her or communicate with her.

In view of these facts, the IACHR determined that they are in a situation of serious risk and urgency, with the threat of irreparable harm to their rights to life, personal integrity, and health. Consequently, on 22 September 2025, the Commission granted precautionary measures in favour of Ruth López, urging the state to protect Ms López's fundamental rights

¹¹ [Concern over the detention of Ruth Eleonora López and Alejandro Henríquez amid escalating intimidation of lawyers in El Salvador - Lawyers for Lawyers](#)

and to take the necessary measures to ensure that the conditions of her detention comply with international standards.¹²

Alejandro Henríquez

Alejandro Henríquez is an environmental lawyer and representative of the El Bosque Cooperative. He was detained on 13 May 2025, one day after participating—in his capacity as community representative—in a peaceful protest aimed at preventing the eviction of approximately 300 families.

Henríquez was charged with public disorder and resisting authority. Following a court order imposing his preventive detention, he was transferred to a prison. During his detention, he was denied access to his defence team and his family, in a context marked by restrictions on the exercise of the right to defence under the state of emergency.¹³

On 17 December 2025, the case was resolved through summary proceedings, following an agreement with the Public Prosecutor's Office. The judge handed down a sentence of three years' imprisonment, replaced by alternative measures consisting of compliance with rules of conduct. The defendants' acceptance of the facts was a requirement of the summary proceedings and did not imply an admission of guilt. This agreement is part of a context in which lawyers have reported feeling compelled to resort to summary proceedings in a system that does not offer effective procedural guarantees.

After approximately seven months of imprisonment, Henríquez suffered health problems, including skin lesions, and will therefore require medical and psychological treatment.

Enrique Anaya

Enrique Anaya is a constitutional lawyer who was arrested on 7 June this year at his home on charges of money laundering. His arrest came after he publicly questioned the constitutionality of certain measures adopted by the Salvadoran government, as well as the arrest of lawyer Ruth López¹⁴. Since then, his legal team has been unable to establish communication with him. This situation is particularly worrying given that the lawyer suffers

¹² IACHR. [Precautionary Measures No. 667-25](#).

¹³ Ibid.

¹⁴ [Enrique Anaya – OIAD \(11 August 2025\)](#)

from an illness that requires medical treatment, and there is no public information on whether he is receiving the necessary care.¹⁵

Anaya has been granted precautionary measures by the IACHR. The Commission has urged the Salvadoran state to 'immediately end the prolonged incommunicado detention; guarantee regular contact and access with his family, lawyers and representatives as a means of safeguarding his rights; and provide him with the prescribed medical treatment in a timely and adequate manner'.¹⁶

Ingrid Escobar

Ingrid Escobar, a lawyer with Socorro Jurídico Humanitario (Humanitarian Legal Aid) for persons deprived of liberty, was forced to leave El Salvador after perceiving a systematic pattern of harassment. She reported that the police knew her daily schedule, including visits to law firms, the organisation and the UN, and maintained constant surveillance at her home. Faced with persecution and personal risk, Escobar chose exile, reflecting how the climate of intimidation has limited the ability of lawyers to freely exercise their professional work in the country.

Repression without borders

An increasing number of human rights defenders and lawyers are seeking asylum in different countries to escape harassment and persecution in El Salvador. However, the state has extended its campaign of harassment beyond national borders by issuing Interpol red notices against several lawyers. Some professionals have even stated that they do not feel safe in their host countries due to surveillance and harassment, evidencing a **pattern of transnational repression**.

Ivania Cruz and Rudy Joya

Salvadoran lawyers Ivania Cruz and Rudy Joya,¹⁷ members of the Human and Community Rights Defence Unit (UNIDEHC), have actively documented human rights violations and provided legal assistance to people detained under the state of emergency. As a result of their legitimate professional activities, they have received threats and harassment from the Salvadoran government. After seeking asylum in Spain to escape persecution in their

¹⁵ [Call on El Salvador to comply with IACHR precautionary measures in favour of detained lawyers – Lawyers for Lawyers](#)

¹⁶ IACHR. [Precautionary Measures No. 929-25](#)

¹⁷ [‘Ivania Cruz and Rudy Joya – OIAD’ \(20 August 2025 and 1 December 2025\)](#)

country, they have been the subject of unfounded complaints to Interpol, which constitutes an attempt to extend the harassment beyond national borders.

UN experts, such as Mary Lawlor, Special Rapporteur on the situation of human rights defenders, and Irene Khan, Special Rapporteur on freedom of opinion and expression, have pointed out that these measures constitute an act of transnational repression, as they extend the harassment of human rights defenders to countries where they seek protection, violating international principles of security and protection of defenders.¹⁸

Conclusions and recommendations

The patterns of harassment and criminalisation identified appear to constitute reprisals for the legitimate exercise of the legal profession. El Salvador, as a State party to the American Convention on Human Rights and the International Covenant on Civil and Political Rights, has an international obligation to guarantee the rights to liberty, personal security, due process and access to justice.

Likewise, the UN Basic Principles on the Role of Lawyers (principles 16, 18 and 23) establish the duty of States to ensure that lawyers can perform their professional functions without intimidation, obstacles, harassment or interference, and that they have the right to freedom of expression, association and assembly, particularly to participate in public debates on the law, the administration of justice and the promotion and protection of human rights.

In this context, the International Observatory for Lawyers at Risk and Lawyers for Lawyers urgently call for the following measures to be adopted without delay.

To the Government of El Salvador:

1. **Immediately and effectively comply with the precautionary measures ordered by the IACHR**, guaranteeing the protection of the rights to life, personal integrity, and health of lawyers **Ruth López and Enrique Anaya**. In particular: immediately end the situation of prolonged incommunicado detention; guarantee their physical and mental well-being; and ensure timely access to their legal representatives, family members, and adequate medical treatment.

¹⁸ United Nations. [Press release](#), 19 November 2025.

2. **Fully respect the right to due process** in all legal proceedings, ensuring that any charges are based on clear, legitimate legal grounds and in accordance with international standards.
3. **Immediately cease all forms of harassment, intimidation and criminalisation against lawyers**, recognising their essential role in defending the rule of law and human rights.
4. **Refrain from using INTERPOL's international police cooperation mechanisms for the purposes of political persecution or professional retaliation**, and ensure that all requests for red notices or international dissemination strictly comply with the provisions of **Article 3 of the INTERPOL Constitution**, which prohibits any intervention or activity of a political nature, as well as **Article 34.2 of INTERPOL's Rules on Data Processing**, ensuring that such requests respect the principles of legality, proportionality, necessity and international human rights standards.
5. **Respect and effectively implement the [UN Basic Principles on the Role of Lawyers](#)**, as well as the State's international obligations under the [American Convention on Human Rights](#) and the [International Covenant on Civil and Political Rights](#), ensuring that all legal s can carry out their work independently, free from reprisals and in conditions of safety.

To the international community, States, and regional and international organisations:

1. **Strengthen international monitoring and continuous follow-up** of the situation of the legal profession and judicial independence in El Salvador, issuing public statements and specific recommendations when violations are identified. **Exert sustained diplomatic pressure** on the Salvadoran State to comply with its international human rights obligations, restore procedural guarantees and protect the independent exercise of the legal profession as a pillar of the rule of law.
2. **Ensure international protection for lawyers at risk**. Facilitate **access to asylum and other forms of international protection** for Salvadoran lawyers who are forced to leave the country, guaranteeing respect for **the principle of non-refoulement** and the effective protection of their fundamental rights.
3. **Prevent and respond to transnational repression**: States receiving requests for international police cooperation or INTERPOL red notices initiated by El Salvador

must carry **out comprehensive and individualised risk assessments** to verify compliance with **Article 3 of the INTERPOL Constitution**, the principle of non-refoulement and international human rights standards, exercising enhanced control when there are indications of political motivation or risks of persecution.