

Sr. Rodolfo Antonio Delgado Montes
Fiscal General de la República (FGR)
San Salvador, El Salvador

August 16, 2025

Dear Attorney General:

We are writing to express our deep concern over the detention and prosecution of human rights attorneys Rudy Joya and Ivania Cruz. Through their work at UNIDEHC (Human and Community Rights Defense Unit), the attorneys have represented numerous people unjustly detained since the implementation of the State of Exception in March 2022. They have also filed legal actions against members of the Bukele Administration for human rights abuses and corruption. Although they have exercised legal and legitimate actions in defense of the civilian population, these actions have made them a political enemy of the state.

Rudy Joya and Ivania Cruz were two of 25 advocates arrested on February 25 under the Organized Crime Court, which is typically reserved for violent gang members. They were falsely charged with "illicit groupings" as a result of their advocacy work with UNIDEHC. Despite making the court aware of international travel plans that pre-dated their arrests, the Fifth Court against Organized Crimes declared both Ivania Cruz and Rudy Joya in absentia from their preliminary hearing, immediately issuing arrest warrants, six-months pretrial detention, and an Interpol red notice.

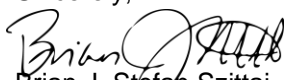
Rudy Joya and Ivania Cruz are among the hundreds of social leaders and human rights defenders being detained under arbitrary charges; many are subjected to torture and maltreatment under state custody. The Salvadoran government's criminalization of human rights defenders is a dangerous escalation in its attempt to silence individuals working to expose state-sanctioned corruption, abuse, and mistreatment. These actions are in direct violation of the United Nations Basic Principles on the Role of Lawyers that, in section 16, emphasizes the necessity that lawyers perform their professional duties without "intimidation, hindrance, harassment or improper interference" as well as without "administrative, economic, or other sanctions or any action taken in accordance with recognized professional duties, standards and ethics." In Section 23 of these international guidelines adopted in 1990 also enshrine the right of lawyers to freedom of expression, belief, association, and assembly, encompassing the right to participate in the promotion of human rights.

Yesterday, after having listened to public testimony from Salvadoran civil society organizations over a period of twelve days last month, the Inter-American Commission on Human Rights (IACHR) in Washington, DC, repeated its recommendation to end the State of Emergency. It reiterated that in its 2024 report on human rights in El Salvador, the IACHR... "found no evidence of the kind of emergency required under the American Convention on Human Rights to justify an ongoing suspension of rights in the country."

In response to the politically motivated and arbitrary prosecution of human rights defenders, including lawyers Rudy Joya and Ivania Cruz, we urge that authorities in El Salvador:

- (1) remove of the fraudulent charges pressed against members of UNIDEHC
- (2) adhere to the protections outlined in the United Nations Basic Principles on the Role of Lawyers as well as the freedoms of association and expression in Article 7 of the Salvadoran Constitution
- (3) abandon practices that use exceptional criminal courts for ordinary offenses and guarantee due process
- (4) follow the recommendation of the Inter-American Commission on Human Rights to end the State of Exception and instead develop a comprehensive, multi-sectoral public security policy that addresses the causes and consequences of crime, based on evidence and with a human rights perspective.

Sincerely,


Brian J. Stefan Szittai
Co-Coordinator


Christine Stonebraker-Martinez

copies: Sr. Presidente Nayib Bukele, Presidente de la República ~ via email and US mail
Licda. Raquel Cabellero de Guevara., Procuradora para la Defensa de los Derechos Humanos/ Human Rights Ombudsman of El Salvador ~ via email
Carmen Milena Mayorga de Monterrosa, Ambassador of El Salvador in Washington, DC ~ via email & US mail
Carlos Bernal Pulido, Rapporteur for El Salvador, Inter-American Commission on Human Rights ~ via email & US mail
US State Department: El Salvador Desk in Washington, DC, and Naomi Fellows, Chargé d'Affaires ad interim, US Embassy in San Salvador ~ via email
US Senators Husted and Moreno ~ via email
US Representatives Beatty, Brown, Jordan, Joyce, Kaptur, Latta, Miller, Rulli, Sykes ~ via email

09 MAY 2025_CISPES_El Salvador

The following people hereby urge you to take action on this matter as indicated in this letter: