

---

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS  
RESOLUTION 66/2025**

Precautionary Measure No. 667-25

**Ruth Eleonora López Alfaro regarding El Salvador**

September 22, 2025

Original: Spanish

**I. INTRODUCTION**

1. On May 20, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission”, “the Commission” or “the IACHR”) received a request for precautionary measures presented by Center for Justice and International Law (CEJIL) and Cristosal Foundation (*Fundación Cristosal*) (“the requesting party” or “the applicants”) urging the Commission to require that the Republic of El Salvador (the “State” or “El Salvador”) adopt the necessary measures to protect the rights to life, personal integrity, and health of Ruth Eleonora López Alfaro (“the proposed beneficiary”). According to the request, she is the head of the Justice and Anti-Corruption Unit Cristosal Foundation. On May 18, 2025, she was deprived of her liberty. Since her admission to the Women’s Penitentiary Center, *Granja de Izalco*, on July 4, 2025, she has been held incommunicado and has not been able to contact her family or legal representatives.

2. Pursuant to Article 25.5 of its Rules of Procedure, the IACHR requested information from the State on June 6<sup>1</sup> and July 29,<sup>2</sup> 2025 and they submitted its reports on June 13 and August 8, 2025. The applicants provided additional information on May 30, June 16, July 4, and August 5, 2025.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission recognizes that the proposed beneficiary is in a serious and urgent situation, given that her rights to life, personal integrity and health are at risk of irreparable harm. Therefore, based on Article 25 of its Rules of Procedure, it requests that El Salvador: a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Ruth Eleonora López Alfaro; b) adopt the necessary measures to ensure that the beneficiary’s detention conditions comply with international standards, in particular, immediately ending the prolonged incommunicado detention; guaranteeing regular contact with and access to her family, attorneys, and representatives as a means of safeguarding her rights; and, considering the exceptional nature of pretrial detention and the risk to life, personal integrity, and health assessed in this resolution, proceed to review the continuation of pretrial detention in light of applicable standards, including the possibility of alternative measures to pretrial detention; c) consult and agree on the measures to be adopted with the beneficiary and her representatives; and d) report on the actions taken to investigate the alleged facts that gave rise to this resolution, including its connection to her activity as a human rights defender, so as to prevent such events from reoccurring.

**II. SUMMARY OF FACTS AND ARGUMENTS**

---

<sup>1</sup> Among the requests for information, the authorities were requested the following: (i) indicate whether the competent authorities have assessed the alleged risk that the proposed beneficiary faces and, if so, whether they have adopted measures that are adequate and sufficient to address it; and (ii) provide details on the detention conditions and health status of the proposed beneficiary. If possible, provide certificates, medical records, or medical reports that attest to this situation; and (iii) detail the medical treatment currently prescribed to treat the proposed beneficiary’s health issues and the medical treatment she is actually receiving from the State.

<sup>2</sup> Among the requests for information, the following were required: i) report on the current situation of the proposed beneficiary; ii) confirm her current place of detention and report on the detention conditions in that prison; iii) details of the proposed beneficiary’s health and information on whether she has access to medical care (general and specialized) and necessary medication from the State in order to treat her health issues. If possible, provide certificates, medical records, or medical reports that attest to this situation; and iv) refer to the allegations regarding the alleged lack of communication with her family members and legal representatives.

---

**A. Information provided by the applicant**

4. The proposed beneficiary is the head of the Justice and Anti-Corruption Unit of Cristosal Foundation and a human rights defender. *Fundación Cristosal* is a human rights organization operating in El Salvador, Guatemala, and Honduras. Its mission is to protect victims of violence and human rights violations through an interdisciplinary approach, as well as to fight for justice, democracy, and human rights. Through the organization, the proposed beneficiary has led multiple reports, legal actions, and complaints against government corruption by the current Salvadoran administration,<sup>3</sup> relating to, for example, the use of public funds to spy on journalists, violations of the fundamental right to informational self-determination, and the unconstitutionality of legal reforms that establish faceless judges, among others. The request highlighted that, in 2021 and 2023, it had filed several lawsuits, including criminal ones, against the current director general of penitentiaries for alleged acts of corruption. This individual also holds the position of vice minister of Justice and Security.<sup>4</sup> The request questioned the country's democratic institutions.

5. According to the applicants, as a result of her activities in El Salvador, the proposed beneficiary has been subjected to acts of harassment, surveillance, and persecution by agents of the National Civil Police's Division of Police Intelligence. They believe that these officers "noticed her" every time she filed complaints with regulatory agencies. They specifically alleged the following events:

- March 2020: After participating as a plaintiff against the emergency decree before the Constitutional Chamber, she observed a police patrol conducting surveillance in front of her residence. This type of surveillance by stationary police patrols reportedly occurred frequently at both her residence and workplace.
- March 24 and April 19, 2022: Agents from the Intelligence Subdirectorate of the National Civil Police followed her.
- November 26, 2024: *La Prensa Gráfica* published an investigative report revealing that the Division of Police Intelligence of the National Civil Police (SIPOL) had deemed her a "person of interest" because she "has been seen making statements in media outlets sympathetic to the opposition" and on viral platforms (Twitter and Facebook), and therefore considered her "part of the opposition's ideological apparatus as an anti-corruption activist."
- March 20, 2025: She filed a complaint with the Court of Government Ethics (*Tribunal de Ética Gubernamental*, TEG) for acts of corruption against the Minister of Health (MINSAL), as well as against the former director of the Environmental Fund of El Salvador (FONAES). When filing this complaint, she was allegedly harassed by agents of the Order Maintenance Unit (*Unidad de Mantenimiento del Orden*, UMO) of the National Civil Police, who followed her and took photographs while she was making public statements.
- April 28, 2025: During a press conference at the Foundation's premises, several agents of the National Civil Police allegedly entered the organization's premises without a written order issued by a competent

---

<sup>3</sup>According to the request, the proposed beneficiary has been involved in filing over 15 complaints before various oversight bodies. These include complaints regarding the use of public funds to spy on journalists; an appeal for protection of constitutional rights (*amparo*) for violations of the fundamental right to informational self-determination in the implementation of the Chivo digital wallet; lawsuits of unconstitutionality challenging legal reforms that establish faceless judges; lawsuits against laws regulating public procurement that favor corruption; and a criminal complaint concerning irregularities in the distribution of \$300 during the pandemic. She was also part of the team that prepared the unconstitutionality lawsuit against the General Law of Metallic Mining, which was supported by 60,000 citizen signatures, among other complaints submitted to different control institutions.

<sup>4</sup> Attached is a criminal complaint dated September 22, 2022. In addition, the following links have been forwarded: El Salvador.com, "Cristosal warns the Prosecutor's Office of possible crimes committed by Osiris Luna", September 20, 2023. Available at: <https://www.elsalvador.com/noticias/nacional/cristosal-presentaaviso-fiscalia-centros-penales/1091327/2023/>. Also, see: <https://cristosal.org/ES/piden-afiscalia-investigar-posibles-delitos-del-director-de-centros-penales-y-otros-funcionarios-2/> (Available only in Spanish)

authority. One of the police officers attempted to enter the offices, while another took photographs specifically of the proposed beneficiary's vehicle.

- In 2025, she noticed an unusual police presence, checkpoints, or patrols near the Foundation.

6. On May 18, 2025, after police officers arrived at her residence claiming there had been a traffic accident, National Civil Police reportedly detained Ruth Eleonora López Alfaro on allegations of fraud. When she exited her residence, the agents stated that they had an arrest warrant issued by the Office of the Attorney General (FGR). The document stated that she was under investigation for alleged embezzlement. The police officers did not provide a copy of the document, and neither her partner or legal representative were allowed to accompany her.

7. The proposed beneficiary was taken to the Directorate of Central Investigations (DCI) of the National Civil Police, and placed in the basement where she was allegedly held throughout the night. She was then sent to a police station known as "El Penalito," where she was booked and given a medical examination. She was taken to the Office of the Attorney General (PGR) to file a request for a public defender. On May 19, 2025, she was detained in the cells of the Traffic Division of the National Civil Police (PNC). The day she was detained, an attorney from Cristosal Foundation went to the DCI facilities and requested to see her in order to be recognized as her defense attorney. However, the officer on duty repeatedly denied that she was being held there. On May 20, 2025, her family was informed that she was being held at the Traffic Division.

8. The applicants claim that during the proposed beneficiary's detention at the PNC Traffic Division, she was allowed family visits and was able to communicate with her defense attorneys. Visits with attorneys reportedly lasted less than 10 minutes and were supervised by a guard. Family visits took place under the same conditions. Her relatives provided food, personal hygiene items, and water. She allegedly had access to her medications, healthcare, and was able to shower daily.

9. On May 27, 2025, the defense attorneys appeared as procedural representation before the Office of the Attorney General. However, they were not provided with information about the proceedings against the proposed beneficiary, nor were they told which fiscal unit was responsible for the case or the reference number of the fiscal file. At the initial hearing on June 4, 2025, the Twelfth Justice of Peace of San Salvador ordered the provisional detention of the proposed beneficiary during the criminal investigation and upheld the order of total secrecy of the proceedings. The judge placed the proposed beneficiary at the disposal of the Director General of Penitentiaries (*Director General de Centros Penales*) to designate the prison to which she could be transferred.

10. Regarding the criminal proceedings, the applicants allege that the proposed beneficiary is being charged with the crime of illicit enrichment while serving as an advisor to Judge Eugenio Chicas in the Supreme Electoral Tribunal, and not with the crime of embezzlement, as the Office of the Attorney General publicly stated as grounds for her detention. Regarding her health, the request states that she has stage II hypertension and hemorrhoids, and on some occasions she experiences acute hemorrhoidal crises following episodes caused by stress. She experienced dry eyes and was prescribed eye drops to prevent serious damage. Isodense ovoid nodules were also found, which require medical follow-up. The applicants indicated that they initially did not request health care in her favor as they feared that she would be transferred to another detention center where family visits are not allowed.

11. On July 3, 2025, the Fourth Examining Magistrates' Court of San Salvador reportedly issued a resolution ordering the proposed beneficiary to remain at the Land Traffic (*Tránsito Terrestre*) Police Division barracks, based on a report from the Institute of Legal Medicine of the Supreme Court of Justice. The resolution aimed to ensure the continued provision of medications for her chronic health issues and to carry out additional tests prescribed following her most recent mammogram, which detected the presence of nodules. However, on this day, the same Court reportedly revoked the decision and ordered her to be transferred to a penitentiary.

On July 4, 2025, the proposed beneficiary was transferred to the Women's Penitentiary, *Granja de Izalco*, department of Sonsonate. That same day, her partner went to the center and was informed that visits from family members and attorneys were not allowed. He was told to come solely for the purpose of delivering clothes and medicine.

12. Following her transfer, she was reportedly held incommunicado and placed under a regime of confinement, in which she was prohibited from receiving family visits and communicating with her defense attorneys. Her partner went to the prison on July 6, 9, 12, and 24, 2025, but was not allowed to see her. On two occasions, the facility staff allegedly requested that he provide medication to manage the proposed beneficiary's high blood pressure and treat elevated triglyceride levels. According to her relatives, the Granja de Izalco Administration formally informed the court hearing the criminal case that it does not have the necessary medication to treat the proposed beneficiary's hypertension, and it must be provided by her family. The applicants are unable to confirm if the medications are being delivered and whether she was taking them. The family was not notified about the scheduling of medical examinations concerning the nodules.

13. According to the applicants, on July 28, 2025, one of the defense attorneys went to *Granja Penitenciaria de Izalco*, and was denied a meeting with the proposed beneficiary. They were told that professional and any other type of visits were strictly prohibited while the "President of the Republic is in office." They were informed that any request should be addressed and submitted to the Director General of Penitentiaries, and that this prohibition had no time limit as it was indefinite. Given the absolute isolation imposed upon the proposed beneficiary, there is no certainty about her current situation or health. It is alleged that the State is unwilling to provide essential medicines, thereby putting her health at risk due to her chronic health issues. Although prison authorities reportedly stated that she was being held at the aforementioned *Granja Penitenciaria de Izalco*, her family and attorneys have been unable to see her. Therefore, they have no certainty about her exact whereabouts or current health. The requesting party considered that the proposed beneficiary is under "conditions of torture" and may be at risk of "enforced disappearance."

14. The following complaints and appeals have been filed in support of the proposed beneficiary:

- Habeas Corpus petition filed on May 29, 2025, before the Constitutional Chamber, requesting that precautionary measures be decreed in favor of the proposed beneficiary and that her immediate release be ordered. By Resolution 379-2025 of June 20, 2025, the Constitutional Chamber of the Supreme Court of Justice considered: "2. *With regard to the failure to file the prosecutorial charging document and to bring it before the court, however, despite the time that has elapsed, it should be noted that, in accordance with Legislative Decree No. 333 of March 27, [...] which was extended on May 6, 2022, the state of emergency remains in force throughout the national territory. Among other measures, this regime has involved the suspension of Article 13, paragraph two, of the Constitution, which establishes a maximum period of seventy-two hours for administrative detention. [...] In this matter, at the time of filing the writ of habeas corpus, Ms. López Alfaro had been detained for eleven days, a period that is within the constitutionally permitted time limit during the state of emergency [...].*

Referring to that decision, the applicants noted that the rules of the State of Emergency, which would allow 15 days for the submission of the prosecutorial charging document, were applied in her case. At its discretion, the Constitutional Chamber validated the extension of the State of Emergency for more than three years, as well as the application of its rules to any person and for any criminal charge, even if the charges are not related to alleged crimes committed by gangs. In its decision, the Constitutional Chamber resolved the following:

*V. Given the potential violations of the rights to defense and personal liberty [...] such as restrictions on communication with legal counsel, it is appropriate to issue an order for a writ of habeas corpus (exhibición personal). Furthermore, as it is necessary to take steps to verify the allegations and ensure effective protection of these rights, it is pertinent to appoint an executing judge. The judge's duty will be to summon the person or persons responsible for the restriction of physical liberty or the violation of the detainee's right to personal integrity, so that they present the relevant case file or record and explain the reasons for their actions or omissions [...] Based on the foregoing, the latter must:*

1. *Summon the Attorney General of El Salvador and the Head of the Traffic Division of the National Civil Police to provide a statement regarding the alleged violations [...].*
2. *In the police records of the accused López Alfaro, verify the following: i) the official order directing the administrative detention of the accused and her admission to the aforementioned delegation; ii) the intake logbook or any other record showing the requests made by the defense attorneys of the accused to access the facility, including, if possible, the dates and times of the visits, their duration, and the conditions under which they took place; iii) the guidelines, regulations, or agreements that describe the general procedure and conditions of time, place, and manner for attorneys to communicate with detainees held at that delegation; and iv) any other documentation that may allow determination of the measures taken to safeguard the rights of the person deprived of liberty.*
3. *Report on the current situation of Ms. López Alfaro with regard to her criminal proceedings [...]*

*Furthermore, if the proposed beneficiary is no longer in their care, the authorities concerned must inform the relevant parties of this court's requirements, so that the certification and reports on the condition of the prisoner are sent directly to this court, without the need for further proceedings.*

Therefore, it resolved:

1. *The writ for habeas corpus filed on behalf of Ms. Ruth Eleonora López Alfaro is hereby declared inadmissible with respect to the claims concerning her police detention, the failure to present the prosecutorial charging document, and the publicity of this detention, as these matters do not involve any constitutional significance.*
2. *To issue a writ of habeas corpus (exhibición personal) in favor of Ms. Ruth Eleonora López Alfaro, and for its execution, Ms. Lili Verónica García Erazo is appointed as the executing judge. She shall summon the Attorney General of El Salvador and the Head of the Traffic Division of the National Civil Police, who are required to submit their reports in accordance with the provisions set forth in Consideration V of this decision [...].*

- Complaint filed on May 20, 2025, with the Office of the Procurator for the Defense of Human Rights (PDDH) regarding the arbitrary detention of the proposed beneficiary presented by Representative Claudia Ortiz. Following up on this complaint and after requesting information on its status, on July 31, 2025, an official from that entity indicated that they had sent official letters requesting information on the case to various authorities. However, the institution has not issued any resolution. They further confirmed that once individuals are admitted to a prison, they are no longer allowed to receive visitors, and that the PDDH has not visited her at the *Granja Penitenciaria de Izalco* either.

- Appeal filed by the defense against the pretrial detention ordered by the Twelfth Justice of Peace in a hearing on June 4, 2025.

15. It was reported that on July 21, 2025, a family member received, via regular mail, a notification from the Integrity Section (*Sección de Probidad*) of the Supreme Court of Justice addressed to the proposed beneficiary, inviting her to submit any observations or objections regarding her probity statements related to her assumption and termination of a public office in 2016. They warn that this situation is considered irregular, as it involves financial disclosures from nine years ago, reported while she is being held for the crime of illicit enrichment without the preliminary administrative phase before the aforementioned Integrity Section having been exhausted. The applicants considered that the state authorities might be trying to justify gaps in the evidence in the criminal case against her.

16. After the proposed beneficiary was detained, hate speech and a stigmatization campaign were allegedly launched against her on social networks. Anonymous profiles allegedly used labels and comments such as “thief,” “rat,” “bitch,” and “fat,” originating from “troll farms” allegedly operated by the state. The aim is to reportedly spread false information against her. For its part, the Office of the Attorney General reportedly released a photograph of the proposed beneficiary in handcuffs, accompanied by two agents and a patrol car from the National Civil Police. The applicants argued that, if she continues to be held pretrial detention in a



prison facility under the administration of the current prison director, the proposed beneficiary faces serious risk of reprisals that could directly violate her rights.

## **B. Response from the State**

17. The State believes that the request for precautionary measures does not meet the requirements set forth in Article 25 of its Rules of Procedure. It was indicated that the proposed beneficiary was deprived of her liberty in accordance with Salvadoran law within the framework of a criminal investigation, with full respect for judicial guarantees and due process. The State reaffirmed that a strengthened institutional framework is in place to protect rights alleged to have been violated, in light of the subsidiary and complementary nature of the Inter-American System. It also highlighted that the questions raised about the country's institutions are "political in nature" and are not the purpose of the precautionary measures.

18. The State stated that the existence of a State of Emergency or certain legislative reforms, *per se*, is not sufficient evidence of an individualized risk. The generalized contextual narrative reportedly does not provide specific elements that constitute the requirement of "extreme seriousness" in particular, nor does it establish a direct causal link between the general context and an irreparable risk to her health or life, as alleged in the request for precautionary measures. It found that the applicants had not shown how the status of human rights defender places the proposed beneficiary in a situation of greater vulnerability than any other person deprived of their liberty. It further noted that this status does not confer immunity from the law or exempt her from criminal responsibility for any crimes committed. They stated that the criminal proceedings do not have any connection with her activities as a human rights defender, but are rather strictly linked to irregular financial dealings that caused financial damage to the State.

19. With regard to the allegations of violations of procedural guarantees, the State considered that these should be addressed and resolved through the appropriate domestic judicial channels, which the proposed beneficiary could access and could have used to protect her procedural rights. In this regard, it reported that a *writ of habeas corpus* had been filed under Reference number 379-2025, which shows that internal channels are being used and are available for the protection of her procedural rights. It stated that the IACHR should not become a body for reviewing domestic proceedings before they have been exhausted, as that would constitute an improper exercise of subsidiarity; and that domestic remedies must be allowed to prove their effectiveness.

20. Regarding the reference to a "short-term enforced disappearance," the State indicated that what is being characterized as disappearances are, in practice, detentions arising from criminal proceedings. The State argued that this classification creates confusion about the actual situation and downplays the seriousness of the crime of enforced disappearance of persons. According to El Salvador, there is a conventional framework and abundant national and international jurisprudence establishing the constituent elements of enforced disappearance, such as the authorities' refusal to acknowledge a deprivation of liberty and the concealment of information about the whereabouts of the disappeared person.

21. According to the State, the proposed beneficiary was detained at her residence on May 18, 2025. The detention was reportedly carried out by agents of the National Civil Police pursuant to an administrative order issued by the Office of the Attorney General of El Salvador (FGR). After being detained, she was taken to the cells of the Traffic Division of the National Civil Police, where she was able to receive visits from her family, communicate with her defense attorneys, and receive food. In turn, the State emphasized that the proposed beneficiary's mother had confirmed her good health, notwithstanding her chronic health issues, in a free and voluntary interview given to the media.<sup>5</sup>

---

<sup>5</sup> See [Ruth López's mother and husband ask for the release of the activist after her detention, accompanied by directors of Cristosal, the organization of...](#) | By Noticiero TVM El Salvador | Facebook (Available only in Spanish).

22. The State clarified that she was initially charged with the crime of “embezzlement”. In this regard, she indicated that the law provides that the first legal assessment made is provisional, both during the investigative and judicial stages, as long as there is no final judgment on the facts under investigation and review. Therefore, the evidence gathered by the Prosecutor’s Office was classified as “illicit enrichment” by the judicial authority, a crime that carries a lesser penalty.

23. On May 29, 2025, a prosecutorial charging document was filed with the Twelfth Magistrate’s Court of San Salvador, ordering a formal investigation with detention and total secrecy of the proceedings. On June 2, 2025, the proposed beneficiary was submitted to the Twelfth Magistrate’s Court in San Salvador, where she was charged with illicit enrichment related to her alleged work with the former magistrate of the Supreme Electoral Tribunal. On June 4, 2025, the initial hearing was held, in which provisional detention was ordered as a precautionary measure and the criminal proceedings were ordered to be kept confidential. The Office of the Attorney General requested a period of six months for the investigation or inquiry of the case. According to the State, the proposed beneficiary allegedly has procedural representation exercised by a private lawyer. On June 3, 2025, she was granted access to the judicial file, which gave her legal representation access to the details of the charges and prepare their legal strategy. The process is currently in the preliminary investigation stage, under the jurisdiction of San Salvador’s Fourth Examining Magistrates’ Court.

24. According to a state report from August 8, 2025, the proposed beneficiary is reportedly being held at the Women’s Penitentiary, *Granja de Izalco*. She reportedly received packages of personal hygiene items and food provided by her husband,<sup>6</sup> and officials reportedly granted the proposed beneficiary’s request for the delivery of various supplies.<sup>7</sup> It was indicated that she is allegedly included in the regular activities of the standard prison schedule and integrated into general programs.<sup>8</sup>

25. The State stated that it has protocols and resources in place to ensure medical care for persons in custody. In this regard, they noted that the General Directorate of Penal Centers (DGCP), in coordination with the Ministry of Health, implement the following comprehensive health care protocols:

- i) Initial medical evaluation: Each person admitted to a detention center undergoes a thorough medical evaluation to identify preexisting conditions, health history, and specific medical needs;
- ii) Continuous monitoring and follow-up: The inmates’ health conditions are continuously monitored by medical personnel assigned to the penitentiaries. This includes managing chronic health issues such as hypertension, ensuring that prescribed treatments are followed; and
- iii) Provision of medicines: The prison system guarantees the timely and adequate supply of medicines necessary for the treatment of health issues presented by persons in custody. This same commitment and capacity applies to Ms. López Alfaro.

26. In the event that a health issue require evaluation or treatment beyond the capacity of the prison clinics, the system will provide for and facilitate the transfer of the person deprived of liberty to public or private hospitals for care by medical specialists. In addition, specialists may be authorized to visit the detainee within the prison. This reportedly ensures that health issues, such as the proposed beneficiary’s hypertension, are properly managed if it requires treatment beyond routine medication. Family members and legal representatives allegedly have established channels to file complaints or request information about medical care. The State added that, to date, no convincing evidence had been presented to suggest that the proposed beneficiary was not receiving adequate medical care for her health issue or that the system was unable to provide it in a timely manner.

---

<sup>6</sup> Entry logs for supplies dated July 6, 9, and 24, 2025, are provided.

<sup>7</sup> A written request from the proposed beneficiary for authorization to bring in supplies, dated July 17, 2025, is attached.

<sup>8</sup> An activity log sheet dated July 4, 28, 29, and 30, 2025, is attached.

27. Regarding the proposed beneficiary's health, the State argued that the proposed beneficiary has hypertension and experiences dry eyes, which are not problems that per se justify the granting of precautionary measures, given that the medical care required for these issues could be provided within the prison system. Along these lines, it reported that the Fourth Examining Magistrates' Court of San Salvador had taken measures to guarantee Ruth Eleonora López Alfaro's right to health, by including conducting a forensic examination and making a final decision on her transfer to a prison facility to ensure appropriate conditions, physical space, medical equipment, and all the health care she requires. The penitentiary administration was also ordered to ensure, in coordination with the penitentiary clinic, the provision of medicines for the proposed beneficiary's health issues or the authorization of their delivery by the defense attorneys or relatives; to undertake the necessary steps, including scheduling appointments and arranging transfers, to facilitate medical attention; and to conduct examinations for the beneficiary's health issues in accordance with the required medical specialties. The State specified that, according to information provided by the judicial authority, to date there had been no complaints from the defense team or any of the proposed beneficiary's family members.

28. The prison administration reportedly informed the judicial authorities that, since her admission, the proposed beneficiary had received the necessary medical care, as stated in the report by the coordinating physician at *Granja de Izalco* dated July 30, 2025. The report stated that on July 4, 8, 11, and 14, 2025, she was reportedly examined by physicians and specialists at the prison clinic, in addition to undergoing laboratory tests and medical treatment. This report allegedly confirms her history of chronic hypertension and verifies that physical examinations, clinical tests, and medical diagnoses, including mixed hyperlipidemia, hyperuricemia, and rhinosinobronchial syndrome, were carried out, along with the corresponding treatments. In addition, an evaluation was performed by a gynecologist with a diagnosis of tumors in both breasts, which included breast ultrasound treatment and HPV testing.

29. Lastly, with regard to the alleged "threats" or "hate speech," the State considered that these allegations, while concerning and warrant internal investigation, do not show such extreme and imminent seriousness that they could not be addressed by national authorities. Furthermore, it indicated that, with regard to the alleged incidents of harassment and persecution due to her work as a human rights defender, the information provided does not detail a specific history of harassment and direct threats against her.

### **III. ANALYSIS OF THE ELEMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM**

30. The precautionary measures mechanism is part of the Commission's function of overseeing compliance with the human rights obligations set forth in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41(b) of the American Convention on Human Rights, as well as in Article 18(b) of the Statute of the IACHR. The mechanism of precautionary measures is set forth in Article 25 of the Commission's Rules of Procedure. In accordance with that Article, the Commission grants precautionary measures in serious and urgent situations in which these measures are necessary to avoid irreparable harm to persons.

31. The Inter-American Commission and the Inter-American Court of Human Rights ("the Inter-American Court" or "I/A Court H.R.") have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.<sup>9</sup> Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.<sup>10</sup> To do this, the IACHR shall assess the

<sup>9</sup> Inter-American Court of Human Rights (I/A Court H.R.), [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), Provisional Measures regarding the Bolivarian Republic of Venezuela, Order of March 30, 2006, considerandum 5; [Case of Carpio Nicolle et al. v. Guatemala](#), Provisional Measures, Order of July 6, 2009, considerandum 16.

<sup>10</sup> I/A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish).



problem raised, the effectiveness of State actions to address the situation, and how vulnerable the proposed beneficiaries would be left in case the measures are not adopted.<sup>11</sup> As for their precautionary nature, these measures have the purpose of preserving legal situations while under the study of the IACHR. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits, and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect (*effet utile*) of the final decision. In this regard, precautionary or provisional measures enable the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations.<sup>12</sup> In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

- a. “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. “urgent situation” refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

32. In analyzing those requirements, the Commission reiterates that the facts supporting a request for precautionary measures need not be proven beyond doubt; rather, the information provided should be assessed from a *prima facie* standard of review to determine whether a serious and urgent situation exists.<sup>13</sup> The Commission also recalls that, under its own mandate, it is not its responsibility to determine the individual responsibilities of the persons involved in the factual context of this request. Moreover, in this proceeding, it is not appropriate to rule on violations of rights enshrined in the American Convention or other applicable instruments.<sup>14</sup> This is better suited to be addressed by the Petition and Case system. The Commission clarifies that, by its own mandate, it is not called upon to determine criminal liability for the alleged acts. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be carried out without making any determination on the merits.<sup>15</sup>

#### **- Context on the Situation of Human Rights Defenders and the State of Emergency in El Salvador**

<sup>11</sup> I/A Court H.R., Matter of Milagro Sala, Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center, Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; Matter of the Criminal Institute of Plácido de Sá Carvalho, Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

<sup>12</sup> I/A Court H.R., Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center, Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 7; Matter of “El Nacional” and “Así es la Noticia” newspapers, Provisional Measures regarding Venezuela, Order of November 25, 2008, considerandum 23; Matter of Luis Uzcátegui, Provisional Measures regarding Venezuela, Order of January 27, 2009, considerandum 19 (Available only in Spanish).

<sup>13</sup> I/A Court H.R., Matter of Members of the Miskitu Indigenous Peoples of the North Caribbean Coast regarding Nicaragua, Extension of Provisional Measures, Order of August 23, 2018, considerandum 13 (Available only in Spanish); Matter of children and adolescents deprived of liberty in the “Complexo do Tatuapé” of the Fundação CASA, Provisional Measures regarding Brazil, Order of July 4, 2006, considerandum 23.

<sup>14</sup> IACHR, Resolution 2/2015, Precautionary Measure No. 455-13, Matter of Nestora Salgado regarding Mexico, January 28, 2015, para. 14; Resolution 37/2021, Precautionary Measure No. 96-21, Gustavo Adolfo Mendoza Beteta and family regarding Nicaragua, April 30, 2021, para. 33.

<sup>15</sup> In this regard, the Court has stated that “[it] cannot, in a provisional measure, consider the merits of any arguments pertaining to issues other than those which relate strictly to the extreme gravity and urgency and the necessity to avoid irreparable damage to persons.” I/A Court H.R., Matter of James et al. regarding Trinidad and Tobago, Provisional Measures, Order of August 29, 1998, considerandum 6 (Available only in Spanish); Case of the Barrios Family v. Venezuela, Provisional Measures, Order of April 22, 2021, considerandum 2 (Available only in Spanish).

33. Pursuant to Article 25 (6) of its Rules of Procedure, the Commission takes into account its ongoing monitoring of the situation of human rights defenders and the State of Emergency in force in El Salvador. This context is relevant insofar as it lends consistency to the individualized arguments presented in this request and gives particular weight to the situation that the proposed beneficiary faces in a context of increasing restrictions on civic space and limitations on the functioning of civil society organizations in the country:

- In its 2021 *Report on the Human Rights Situation in El Salvador*, the IACHR indicated that it had received continuous information on stigmatizing speeches and messages made by state authorities that would have the purpose of discrediting the defense activities conducted by human rights defenders.<sup>16</sup> In this context, the Commission recommended that the State implement a comprehensive policy for the protection of human rights defenders, taking all necessary measures to put an end to stigmatization and degrading accusations emanating from the State or its agents.<sup>17</sup>
- In *Chapter V of the 2022 Annual Report*, the IACHR received reports that record the persistence of a hostile climate to defend human rights in El Salvador.<sup>18</sup> It also concerns an institutionalized dynamic of discrediting civil society organizations and human rights defenders; an increase in stigmatization and discredit directed at human rights defense associations by the highest State authorities within the framework of the State of Emergency; and the initiation of criminal investigations against human rights defenders for conducting research and expressing positions on public policies.<sup>19</sup>
- In its 2023 *Annual Report*, the IACHR highlighted its concern regarding allegations from civil society about an increase in cases of threats, harassment, persecution, and attacks on the freedom and personal integrity of human rights defenders. It also observed civil society's concerns regarding the approval of a series of regulations and practices at the administrative level (by the Office of the Attorney General, the National Civil Police, the Ministry of the Interior, the Ministry of Finance, among other authorities) which allegedly hinder human rights defense work.<sup>20</sup>
- In its 2024 *Annual Report*, the Commission received information on the reduction of civic space, as well as various obstacles that hinder the defense of human rights in El Salvador.<sup>21</sup> In this regard, they noted with particular concern an increase in stigmatizing rhetoric that seeks to delegitimize the work of human rights organizations that report abuses. It was observed that, in many cases, these statements came from the highest levels of the State, indicating the existence of a recurring discourse by authorities aimed at stigmatizing individuals who hold opinions different from their policies, associating them with criminal groups.<sup>22</sup>
- In its 2024 *report State of Emergency and Human Rights in El Salvador*, the IACHR received multiple reports of attacks against women human rights defenders, who, according to civil society, have filed the highest number of complaints. Regarding these attacks, harassment and intimidation are the most common forms, followed by cyberbullying and arbitrary detentions.<sup>23</sup> Similarly, with regard to persons detained in the country, the IACHR condemned the extraordinary or "emergency" security measures implemented, as well as the obstacles observed in ensuring due process, including restricted access to legal defense, prolonged and indefinite isolation under inhumane conditions, adverse health effects, and the suspension of visitation rights.<sup>24</sup> They highlighted that one of the main problems was the enforced disappearance of persons, sometimes for short periods, resulting from the lack of timely documentation and limited availability of information for detainees' families, preventing them from knowing the

<sup>16</sup> IACHR, *Report on the Situation of Human Rights in El Salvador*, OEA/Ser.L/V/II, doc 278, October 14, 2021, para. 283.

<sup>17</sup> IACHR, *Report on the Situation of Human Rights in El Salvador*, previously cited, para. 342, para 37.

<sup>18</sup> IACHR, *2022 Annual Report*, Chapter V - El Salvador, March 11, 2023, para. 180.

<sup>19</sup> IACHR, *2022 Annual Report*, Chapter V - El Salvador, previously cited, paras. 180-181.

<sup>20</sup> IACHR, *2023 Annual Report*, Chapter V - El Salvador, December 31, 2023, para. 282.

<sup>21</sup> IACHR, *2024 Annual Report*, Chapter V - El Salvador, March 26, 2025, para. 282.

<sup>22</sup> IACHR, *2024 Annual Report*, Chapter V - El Salvador, March 26, 2025, paras. 282-283

<sup>23</sup> IACHR, *Report on the State of Emergency and Human Rights in El Salvador*, June 28, 2024, para. 390.

<sup>24</sup> IACHR, *Report on the State of Emergency and Human Rights in El Salvador*, previously cited, para. 266.

location of their relatives' detention.<sup>25</sup> According to the press, the Prison Information System (SIPE), which centralized information on the prison population, was deactivated for access from judicial headquarters in December 2021.<sup>26</sup> The Commission was informed of cases in which the whereabouts of the detained person remained unknown for days or weeks after being transferred from one penitentiary to another because the information was not provided to their families in a timely manner.<sup>27</sup>

34. In light of the above, the Commission has publicly expressed its concern about the proposed beneficiary's situation after being deprived of her liberty in May 2025, as well as about the Foundation to which she belongs:

- On May 19, 2025, the IACHR expressed deep concern over reports of her forced disappearance. She had been detained by state security forces on May 18 by administrative order of the Office of the Attorney General.<sup>28</sup> Since then, her whereabouts have been unknown, prompting calls for the authorities to provide information regarding her location and to ensure her protection and legal safeguards.<sup>29</sup>
- On June 6, 2025, she protested against the recent arrests of human rights defenders and the approval of the Foreign Agents Law, which could limit the legitimate functioning of civil society organizations and civic space in the country.<sup>30</sup> They also referred to the situation the proposed beneficiary is facing, including reports of difficulties in locating the place of detention and allegations that the charges against her were a form of political persecution for her work as a human rights defender.<sup>31</sup> The IACHR urged state authorities to report the whereabouts of the defender, which was later confirmed according to public information.<sup>32</sup> Similarly, the Commission referred to the detention of other human rights defenders (José Ángel Pérez, Fidel Zavala, Ivania Cruz, and Rudy Joya) and questions suggesting that the criminal proceedings were a form of reprisal for their work during the state of emergency and for reporting abuses in prisons.<sup>33</sup> In response to allegations of the misuse of criminal law for the possible purpose of intimidating, punishing, or impeding human rights activities, the IACHR called on the State to refrain from engaging in this practice and to ensure that human rights defenders can carry out their work in an environment free from any kind of intimidation.<sup>34</sup>
- On July 18, 2025, the Commission noted with concern that Cristosal Foundation's operations were suspended after 25 years in the country.<sup>35</sup> The human rights organization indicated that the criminalization of defenders and the imposition of the Foreign Agents Act prevented it from freely continuing its work.<sup>36</sup> The IACHR emphasized that human rights organizations are

<sup>25</sup> IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 267.

<sup>26</sup> IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 267.

<sup>27</sup> IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 267.

<sup>28</sup> IACHR [@IACHR], (May 19, 2025), *#ElSalvador: #IACHR expresses deep concern over reports of the enforced disappearance of human rights defender Ruth López*. [X]. <https://x.com/CIDH/status/1924580463936442836> (Available only in Spanish).

<sup>29</sup> IACHR [@IACHR], (May 19, 2025), *#ElSalvador: #IACHR expresses deep concern over reports of the enforced disappearance of human rights defender Ruth López* (Available only in Spanish).

<sup>30</sup> IACHR, Press Release No. 115/2025, *El Salvador: IACHR expresses grave concern over measures that restrict the defense of human rights and civic space*, June 6, 2025.

<sup>31</sup> IACHR, Press Release No. 115/2025, previously cited.

<sup>32</sup> IACHR, Press Release No. 115/2025, previously cited.

<sup>33</sup> IACHR, Press Release No. 115/2025, previously cited.

<sup>34</sup> IACHR, Press Release No. 115/2025, previously cited.

<sup>35</sup> IACHR [@IACHR] (July 18, 2025), *#ElSalvador: #IACHR notes with concern the suspension of @Cristosal's operations after 25 years in the country. The human rights organization indicated that the criminalization of defenders and the imposition of the Foreign Agents Act prevented it from freely continuing its work*. [X]: <https://x.com/CIDH/status/1946289179270185266> (Available only in Spanish).

<sup>36</sup> IACHR [@IACHR] (July 18, 2025), *#ElSalvador*, previously cited.

fundamental pillars of any democracy and that States have an obligation to ensure these organizations can operate without fear, reprisals, or undue restrictions.<sup>37</sup>

- On August 14, 2025, the Commission ruled on cases involving human rights defenders detained in 2025 (Enrique Anaya, Ruth López, Alejandro Henríquez, José Ángel Pérez, and Fidel Zavala), who were subject to extended periods of judicial review of their detention.<sup>38</sup> According to the information received, they were placed in pretrial detention without consideration of the particularities of their circumstances, and are currently being held incommunicado while their cases remain under seal.<sup>39</sup> Lastly, the Commission reaffirmed its willingness to cooperate with the country in seeking solutions compatible with inter-American human rights standards.<sup>40</sup>

35. In this context, on July 30, 2025, the United Nations Special Rapporteur on the independence of judges and attorneys expressed its concern regarding the proposed beneficiary,<sup>41</sup> and stated that she had been criminalized in retaliation for her work as an attorney and human rights defender.<sup>42</sup> The Rapporteur learned that on July 6, the proposed beneficiary was transferred to the maximum-security prison in Izalco, once again incommunicado and despite a court order citing medical concerns.<sup>43</sup> Similarly, the Rapporteur expressed concern that on July 21, 2025, the Integrity Section of the Supreme Court had initiated a review of the assets declared by the proposed beneficiary in 2016.<sup>44</sup>

- ***Analysis of the procedural requirements on the situation of the proposed beneficiary within the context monitored by the IACHR***

36. Prior to analyzing the requirements of Article 25 of its Rules of Procedure, the Commission clarifies that, by its own mandate, it is not within its purview to determine or rule out the individual criminal liability of the proposed beneficiary. In this proceeding, it is also not appropriate to analyze the compatibility of her detention and criminal proceedings in light of the American Convention and applicable standards, and therefore no violations of procedural guarantees are found, which is better suited to be addressed in a context of a petition or case. Similarly, it does not review internal criminal proceedings to the detriment of the proposed beneficiary. The following analysis refers exclusively to determining whether the proposed beneficiary is at risk under the terms of the procedural provisions. In this regard, the Commission recalls that Article 25, paragraph 8, of its Rules of Procedure establishes that “the granting of such measures and their adoption by the State shall not constitute a prejudgement on the violation of any right protected in the American Convention on Human Rights or other applicable instruments.”

37. As for the requirement of *seriousness*, the Commission considers that it has been met. At the time of analyzing this request, various indications of risk are assessed, such as:

<sup>37</sup> IACHR [@IACHR] (July 18, 2025), #ElSalvador, previously cited.

<sup>38</sup> IACHR, Press Release No. 162/2025 IACHR reiterates concern over prolonged and improper use of state of emergency in El Salvador, August 14, 2025.

<sup>39</sup> IACHR, Press Release No. 162/2025, previously cited.

<sup>40</sup> IACHR, Press Release No. 162/2025, previously cited.

<sup>41</sup> Margaret Satterthwaite [@SRjudgeslawyers], (July 30, 2025). “I am deeply concerned about the case of Ruth Eleonora López Alfaro. I have written to the Government of #ElSalvador expressing my serious concern about the fact that she has been criminalized in retaliation for her work as an attorney and human rights defender. “[X]: <https://x.com/SRjudgeslawyers/status/1950599432757715294?t=EFEEi4xgOVnw4UIQA5YYCg&s=03>”

<sup>42</sup> Margaret Satterthwaite [@SRjudgeslawyers], (July 30, 2025), previously cited.

<sup>43</sup> Margaret Satterthwaite [@SRjudgeslawyers], (July 30, 2025), previously cited.

<sup>44</sup> Margaret Satterthwaite [@SRjudgeslawyers], (July 30, 2025), previously cited.

- i. The proposed beneficiary is the head of the Anti-Corruption Team of *Fundación Cristosal*. This organization has led multiple reports and legal actions on human rights and corruption issues in the country.
- ii. The members of this Foundation have participated in various institutional forums before the Commission, such as thematic hearings on issues that the proposed beneficiary monitored under the current State of Emergency in El Salvador.<sup>45</sup> In this regard, the work she carried out made it possible to obtain information from civil society about their complaints or situation in the country.
- iii. According to the applicants, the proposed beneficiary's detention was preceded by a series of events indicating that state agents had been conducting surveillance and monitoring near her residence or office, as she was considered a 'person of interest.' These allegations are consistent with the context that the Commission has been monitoring over time. The reference to the event in April 2025 is of particular concern, during which state agents attempted to enter the Foundation's offices allegedly without a warrant from the competent authority, and photographs were taken of the proposed beneficiary's vehicle.
- iv. In this context, after the proposed beneficiary was detained in May 2025, the Commission notes that, in July 2025, *Fundación Cristosal*, which she led, decided not to continue with its human rights defense operations in El Salvador.
- v. Although initially the proposed beneficiary was deprived of her liberty in a holding cell where she was able to contact family members and defense attorneys, as well as receive health care and medication, on July 4, 2025, she was transferred to the Women's Penitentiary, *Granja de Izalco*, where she allegedly remains incommunicado from family members and legal representatives. The applicants described the aforementioned circumstances as a confinement regime. The State did not contest the alleged lack of communication of the proposed beneficiary at that center, despite the request to expressly comment on the matter during the processing of the request for precautionary measures. Nor did it provide information to show that the proposed beneficiary is able to contact the outside world. They only reported that the proposed beneficiary received visits while she was in custody, which coincided with the information provided by the applicants.
- vi. In this regard, based on the information available, the Commission observes, from the preliminary perspective applicable to this mechanism, that the proposed beneficiary's situation has worsened over time. A situation that started with monitoring and surveillance by state agents ended up in deprivation of liberty and held incommunicado in their custody. Without assessing the detention of the proposed beneficiary under the American Convention, and in line with what has been monitored by the IACHR, the current situation of the proposed beneficiary could result in her complete isolation from Salvadoran society and from any opportunity to engage with the country's civic space, in which she had actively participated through denunciations on matters of significant public interest. Against this background, the Commission also has no information that the State conducted a risk assessment when placing the proposed beneficiary in the prison where she is currently being held. The foregoing,

---

<sup>45</sup> IACHR, Thematic Hearing, Human Rights and States of Emergency in El Salvador, 187th session, July 14, 2023 (Audio in Spanish, autogenerated subtitles in various languages available); Thematic Hearing, El Salvador: Enforced Disappearances During the State of Emergency, 188th session, November 9, 2023; Thematic Hearing, El Salvador: General Situation of Human Rights, 190th session, July 12, 2024 2023 (Audio in Spanish, autogenerated subtitles in various languages available); "Regional: Situation of Arbitrary Deprivation of Liberty for Political Motives," March 4, 2025; and Thematic Hearing, "El Salvador: Consequences of the Closure of Civic Space for Human Rights Defenders", 193rd session, July 23, 2025 2023 (Audio in Spanish, autogenerated subtitles in various languages available). Consequently, it is pertinent to refer to Article 63 of the Rules of Procedure of the IACHR, which states that the State shall grant the necessary guarantees to all the persons who attend a hearing or who in the course of a hearing provide information, testimony, or evidence of any type to the Commission.



considering the allegations of reprisals presented, and the complaints she filed against prison system authorities.

- vii. There is still no information on when or how the incommunicado regime affecting the proposed beneficiary will be lifted, despite repeated internal requests by the applicants and more than two months having elapsed since its imposition. The available information indicates that the regime of incommunication is being applied for an indefinite period, without any evidence or documentary support to show that an individual assessment of the proposed beneficiary has been carried out in order to ensure a proper investigation of the alleged crime. In this regard, this Commission recalls that the Inter-American Court has stated the following:

“Incommunicado detention is an exceptional measure the purpose of which is to prevent any interference with the investigation of the facts. Such isolation must be limited to the period of time expressly established by law. Even in that case, the State is obliged to ensure that the detainee enjoys the minimum and non-derogable guarantees established in the Convention and, specifically, the right to question the lawfulness of the detention and the guarantee of access to effective defense during his incarceration.”<sup>46</sup>

- viii. In addition, the same Court has established that the isolation of a detained person could constitute an act contrary to human dignity, given that it can cause extreme psychological and moral suffering for the person deprived of their liberty.<sup>47</sup> It has also considered that prolonged isolation and incommunicado detention constitute, in themselves, forms of cruel and inhuman treatment.<sup>48</sup> The Court has also indicated that States must ensure that persons deprived of their liberty are able to contact their relatives.<sup>49</sup>
- ix. Under these considerations, and based on the information available, the Commission understands that, to date, the only source of information regarding the proposed beneficiary’s situation is that provided by the State. There is no scenario in which her legal representatives or family members can directly contact her, thereby preventing any verification of how the State is guaranteeing her rights and, consequently, limiting the possibility of activating measures in her favor.
- x. In particular, with regard to the proposed beneficiary’s health, the Commission observes the State’s information on protocols for the care of persons deprived of liberty, including when the capacities of prison clinics are exceeded. In addition, it acknowledges the medical documentary support presented, and the decision adopted by the Fourth Examining Magistrates’ Court of San Salvador in favor of the proposed beneficiary in health matters. However, as stated above, the IACHR understands that her family and legal representatives have no means of verifying whether the medications taken to the prison or the medical care provided are actually being provided to the proposed beneficiary. While it is noted that the State confirmed medical care and provided documentary support on medical examinations (including gynecological), laboratory tests, and clinical diagnoses, the Commission observes that there is no possibility to verify this information, as family members and legal representatives are unable to meet with her. In turn, this affects her ability to file complaints with the Fourth Examining Magistrates’ Court of San Salvador, which issued a decision in her favor on health matters. In addition, the information provided by the applicants that the facility’s staff request that they provide medication to treat the proposed beneficiary’s high blood pressure and high triglycerides,

<sup>46</sup> I/A Court H.R. Case of Suárez Rosero v. Ecuador, Judgment of November 12, 1997 (Merits), considerandum 51.

<sup>47</sup> I/A Court H.R. Case of Espinoza Gonzales v. Peru, Judgment of November 20, 2014, considerandum 186; Case J. Vs. Peru, Judgment of November 27, 2013, considerandum 376; Cantoral Benavides Vs. Peru, Judgment of August 18, 2000 (Merits), considerandum 82; and Case of Suárez Rosero v. Ecuador, previously cited, considerandum 90.

<sup>48</sup> I/A Court H.R. Case of Maritza Urrutia v. Guatemala, Judgment of November 27, 2003 (Merits, Reparations and Costs), Considerandum 87; and Case J. Vs. Peru, previously cited, considerandum 376.

<sup>49</sup> I/A Court H.R. Case J. v. Peru, previously cited; and Case of Espinoza Gonzales v. Peru, previously cited.

which reportedly indicates the need to treat these health issues. In this regard, the Inter-American Court has indicated that “detention without communication not only makes it impossible to verify the current situation of the proposed beneficiaries, their conditions of detention, and their health status, but it also implies a curtailment of the procedural guarantees of all detainees.”<sup>50</sup>

- xi. The IACHR notes that the lack of communication concerning the proposed beneficiary is a situation that the competent domestic authorities observed on multiple occasions. However, there is no information available on the actions taken in this regard following she was transferred to the prison where she is currently being held.
- xii. The Commission observes that the State indicated, with regard to the allegations of “threats” or “hate speech,” that while these are concerning, they must be investigated internally. However, no information was provided on the procedures or steps taken by the competent authorities to investigate the allegations described.
- xiii. The Commission recalls the special position of guarantor that the State acquires in relation to detained persons, as a result of the particular relationship of subjection that exists between the inmate and the State. The role of guarantor also requires that, in requests such as the one under review, the State shows that there are no serious and urgent conditions that could result in irreparable harm to the proposed beneficiaries of the provisional measures.<sup>51</sup> This requires not only the existence of statements tending to contest their allegations, but also to show the absence of risk.<sup>52</sup>

38. In summary, the Commission understands that, in the monitored context of El Salvador, the proposed beneficiary, as a human rights defender, has promoted actions and complaints on issues of high public interest for the country and for the Inter-American Human Rights System. As a result of these actions, it was expressed that, initially, she was subject to surveillance and monitoring, which, according to the applicants was attributed to state agents. She is reportedly currently being deprived of her liberty under a provisional incommunicado detention order of indefinite duration; her relatives and legal representatives therefore are unable to receive direct information regarding her situation and detention conditions, despite the internal measures taken in her favor. The Commission has no elements to assess how her incommunicado status, under a provisional detention measure, is justified to ensuring the investigation of the alleged acts, nor is there any definite date when she might resume communication with the outside world, despite more than two months having elapsed since being placed under this regime. This situation is alarming due to the effects that prolonged isolation could have on the proposed beneficiary, which could be exacerbated if she does not receive adequate medical treatment, considering the background described above. Thus, from a preliminary perspective, the proposed beneficiary appears to have lost all contact with the country’s and region’s civic space, in which she was previously active, effectively silencing a critical voice on state actions in a context of shrinking civic space and limited access to information. As previously stated, the Commission appreciates the State’s response, particularly the measures regarding the proposed beneficiary’s health. However, as she is being held in indefinite isolation from her family and legal representatives, there is no material possibility of verifying or corroborating the risk she faces and the care she is receiving, which limits the possibilities of raising internal questions about possible health concerns.

39. In light of the information analyzed in the context of El Salvador, the Commission concludes that, according to the applicable *prima facie* standard, the current situation of the proposed beneficiary is

<sup>50</sup> I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, Provisional Measures, Resolution of June 24, 2021, paragraph 36 (Available only in Spanish).

<sup>51</sup> I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, previously cited, considerandum 38 (Available only in Spanish).

<sup>52</sup> I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, previously cited, (Available only in Spanish).

particularly serious and there is a serious risk to her rights to life, personal integrity, and health in El Salvador.

40. With regard to the requirement of *urgency*, the Commission deems that it has been met given that, should the proposed beneficiary continue to face the situation described, she is likely to be exposed to a greater imminent impact on her rights. The Commission therefore warns that, given her status as a person deprived of liberty, the lack of communication with her family and legal representatives, and the absence of possibilities to properly verify her detention conditions, there is an imminent risk of harm. In addition, the Commission does not have information from the State that would allow it to assess the actions being taken to address or mitigate the situation identified. Therefore, it is necessary to immediately adopt measures to safeguard her rights to life and personal integrity.

41. Regarding the requirement of *irreparable harm*, the Commission concludes that it is met, given that the potential impact on the rights to life, personal integrity, and health constitutes the maximum situation of irreparability.

42. The Commission considers it pertinent to recall that pretrial detention must be limited by the principles of legality, presumption of innocence, necessity, and proportionality.<sup>53</sup> Pre-trial detention is a measure that should not be punitive<sup>54</sup> and, as it is the most severe restriction that can be imposed on the accused, the State must ensure that the rule is that the accused remains free while their criminal responsibility is being determined.<sup>55</sup>

43. The Inter-American Commission and Court have emphasized that the personal characteristics of the alleged perpetrator and the seriousness of the crime with which he or she is charged are not, in themselves, sufficient justification for pretrial detention.<sup>56</sup> With regard to the reasons that may justify pretrial detention, the organs of the system have indicated that:

*there must be sufficient evidence to allow reasonable supposition that the person committed to trial has taken part in the criminal offense under investigation.<sup>57</sup> However, “even if this is verified, the deprivation of liberty of the accused cannot be based on general or special preventive purposes attributable to the penalty, but can only be based [...] on a legitimate purpose, namely: to ensure that the accused will not prevent the proceedings from being conducted or elude the system of justice.”<sup>58</sup>*

<sup>53</sup> IACHR, Report on the Use of Pretrial Detention in the Americas, OAS/Ser.L/V/II. December 30, 2013, para. 20; and Inter-American Court of Human Rights, Case of López Álvarez v. Honduras, Judgment of February 1, 2006, Series C No. 141, para. 67.

<sup>54</sup> I/A Court H.R. Case of Suárez Rosero v. Ecuador, Judgment of November 12, 1997, Series C No. 35, para. 77 (Available only in Spanish).

<sup>55</sup> IACHR, Report on the Use of Pretrial Detention in the Americas, OAS/Ser.L/V/II. December 30, 2013, para. 21; Inter-American Court of Human Rights, Case of Palamara Iribarne v. Chile, Judgment of November 22, 2005, Series C No. 135, para. 196.

<sup>56</sup> IACHR, Report on the Use of Pretrial Detention in the Americas, OAS/Ser.L/V/II. December 30, 2013, para. 21; and Inter-American Court of Human Rights, Case of García Asto and Ramírez Rojas v. Peru, Judgment of November 25, 2005, Series C No. 137, para. 106.

<sup>57</sup> I/A Court H.R. Case of Barreto Leiva v. Venezuela. Merits, Reparations and Costs, Judgment of November 17, 2009, Series C No. 206, para. 111, citing: Case of Chaparro Álvarez and Lapo Íñiguez v. Ecuador, Preliminary Objections, Merits, Reparations and Costs, Judgment of November 21, 2007, Series C No. 170, para. 103.

<sup>58</sup> I/A Court H.R. Case of Arguelles et al. v. Argentina, Preliminary Objections, Merits, Reparations and Costs, Judgment of November 20, 2014, Series C No. 288, para. 120.

44. Regarding the need for periodic review of the grounds for pretrial detention and its duration, the Commission recalls that “a pretrial arrest or detention should be subject to periodic review and not be continued when the reasons for its adoption no longer exist.”<sup>59</sup>

#### **IV. BENEFICIARY**

45. The Commission declares Ruth Eleonora López Alfaro, who is duly identified in this procedure, as the beneficiary.

#### **V. DECISION**

46. The Inter-American Commission considers that this matter meets, *prima facie*, the requirements of seriousness, urgency, and irreparable harm set forth in Article 25 of its Rules of Procedure. Consequently, it requests that El Salvador:

- a) adopt the necessary measures to protect the rights to life, personal integrity, and health of Ruth Eleonora López Alfaro;
- b) adopt the necessary measures to ensure that the beneficiary’s detention conditions comply with international standards, in particular, immediately ending the prolonged incommunicado detention; guaranteeing regular contact with and access to her family, attorneys, and representatives as a means of safeguarding her rights; and, considering the exceptional nature of pretrial detention and the risk to life, personal integrity, and health assessed in this resolution, proceed to review the continuation of pretrial detention in light of applicable standards, including the possibility of alternative measures to pretrial detention;
- c) consult and agree on the measures to be adopted with the beneficiary and her representatives; and
- d) report on the actions taken to investigate the alleged facts that gave rise to this resolution, including its connection to her activity as a human rights defender, so as to prevent such events from reoccurring.

47. The Commission requests that the State of El Salvador report, within 15 days from the date of notification of this resolution, on the adoption of the precautionary measures requested and to update that information periodically.

48. The Commission emphasizes that, in accordance with Article 25(8) of its Rules of Procedure, the granting of this precautionary measure and its adoption by the State do not constitute a prejudgment on any violation of the rights protected under the applicable instruments.

49. The Commission instructs its Executive Secretariat to notify this resolution to EL Salvador and the requesting party.

---

<sup>59</sup> I/A Court H.R., Case of Arguelles et al. v. Argentina, Preliminary Objections, Merits, Reparations, and Costs, Judgment of November 20, 2014, Series C No. 288, para. 121.

---

50. Approved on September 22, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Arif Bulkan, Second Vice-President; Roberta Clarke; Carlos Bernal Pulido; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi  
Executive Secretary