



## **Regime Legalizes Anticipated Sentences in El Salvador**

Guatemala City, August 18, 2025. — With the reforms to the Special Law against Organized Crime (LECO) passed on August 15 by the ruling party in the Legislative Assembly, individuals detained under the suspension of rights may remain in prison for more than five years without conviction. In doing so, the State turns pretrial detention into an anticipated sentence.

The reforms allow the criminal investigation phase to last more than five years, during which thousands of people detained under the state of exception will not have access to a hearing before an impartial judge to assess the alleged evidence against them. Afterwards, they will face an “open hearing” that may extend for up to two additional years. In this way, pretrial detention effectively becomes a real anticipated sentence.

The reform also further weakens judicial guarantees for detained adolescents by establishing that they be tried by the same judges who prosecute adults in the jurisdiction for organized crime—officials who have already systematically violated due process during the state of exception. This is the third amendment aimed at evading and postponing preliminary hearings, adding extensions that constitute an irrational period, contrary to the most basic principles of justice.

Keeping a person in pretrial detention for more than five years is an irrational and unjustifiable term, aggravated by the obstruction of the right to defense and the lack of real oversight by an impartial judge, which constitutes an open violation of the Constitution (arts. 1, 2, 11, 12 and 13) and of international instruments such as Article 8 of the American Convention on Human Rights and Article 9 of the International Covenant on Civil and Political Rights.

Cristosal and several organizations have documented that the vast majority of arrests carried out during the state of exception have been arbitrary, lacking individual evidence, and that thousands of people have been subjected to inhumane conditions and torture, resulting in at least 403 deaths in state custody. Indefinitely prolonging the criminal investigation not only prevents the lack of evidence from being exposed at trial, but also paves the way for massive unjust convictions.

With these reforms, the regime instrumentalizes justice and turns it into a policy of state terror. Because when a government deprives one group of its rights, it ultimately denies them to the whole of society.