



IACHR to Examine El Salvador's Unconstitutional Removal of Supreme Court Judges in 2021

Guatemala City, October 6, 2025. — The Inter-American Commission on Human Rights (IACHR) has admitted for review a case that strikes at the heart of democracy in El Salvador: the illegal removal of the Constitutional Chamber judges of the Supreme Court in May of 2021.

The Commission determined that the case warrants exhaustive examination at the international level, given failures of accountability and due process at the domestic level. The IACHR, in its Report 157/2025, said the case will be included in its Annual Report to the Organization of American States (OAS).

The Commission underscored that the takeover of judicial institutions by political powers represents a direct threat to democratic governance and human rights protections across the region.

On May 1, 2021, legislators of the ruling party aligned with President Nayib Bukele voted to remove all five magistrates of the Constitutional Chamber. This move was widely condemned as unconstitutional by international experts. With a single legislative act, the Executive branch consolidated control over the judiciary, eliminating one of the last checks on presidential power. What followed was the dismantling of judicial independence—one of the cornerstones of any democracy.

After the high court was overthrown, Cristosal warned that the lack of checks on executive power left the population without recourse to prevent or protect itself from abuses of power and serious human rights violations. During the state of exception, families of victims of arbitrary detention, forced disappearance, and torture filed more than 7,074 habeas corpus petitions before the Constitutional Court, of which less than 1.38% received a favorable response. Cristosal provided technical support to 70 families of Venezuelan migrants imprisoned without trial or due process to file habeas corpus claims, none of which received a response from the court. Upon their release and return to Venezuela, former prisoners denounced systematic physical and psychological torture while held at El Salvador's Center for Terrorism Confinement (CECOT).

The Salvadoran government has argued that the removals were constitutional and strengthened democracy. The IACHR firmly rejected this narrative, pointing instead to the standards of the Inter-American Court of Human Rights, which has long warned that eroding judicial independence weakens all democratic institutions, enables arbitrary rule, and exposes citizens to systematic human rights violations.

Cristosal, a leading human rights organization in Central America, represents the dismissed judges before the IACHR. "This decision opens the door to international justice that was denied domestically," said Cristosal. "It also signals to the region that dismantling judicial independence will not go unchecked."

El Salvador remains a key ally of the United States on issues of migration, security cooperation, and economic partnership. Democratic backsliding in such a close partner not only endangers Salvadorans but also undermines regional stability and raises questions about the commitment to the rule of law in the U.S. as well as El Salvador.

The IACHR's decision to advance this case reaffirms the principle that the separation of powers is essential to protecting human rights and democracy in the Americas. It also serves as a reminder that Washington's partnerships in the region must be grounded in the defense of democratic institutions, not their dismantling.