

23 December 2024

TO:

Mr. Nayib Bukele
President of El Salvador

Mr. Gustavo Villatoro
Minister of Justice and Public Security

Mr. Orlando Antonio Orellana Cortez
Human Rights Ombudsman's Office

CC:

Ms. Mary Lawlor,
United Nations Special Rapporteur on the Situation of Human Rights Defenders

Mr. Michel Forst,
United Nations Special Rapporteur on Environmental Defenders under the
Aarhus Convention

Ms. Irene Khan,
Special Rapporteur on the Promotion and Protection of the Right to Freedom of
Opinion and Expression

**Subject: Escalating Threats, Surveillance,
and Criminalization of MUFRAS-32 Members
in El Salvador**

Dear Excellencies:

We write to you on behalf of ESCR-Net - the International Network for Economic, Social, and Cultural Rights, a global network of over 300 social movements, human rights organizations, and advocates across 80 countries. By facilitating collective actions, enhancing communication, and building solidarity across regions, the Network seeks to build a global movement to make human rights and social justice a reality for all. We facilitate cross-regional, member-to-member solidarity with grassroots movements, communities, and defenders who advocate for human rights, including environmental justice, often at great personal risk.



The escalating threats and harassment faced by environmental and human rights defenders in El Salvador demand urgent attention. As members of ESCR-Net, we are gravely concerned about the ongoing persecution of *Movimiento Unificado Francisco Sánchez-1932 (MUFRAS-32)*, an organization that has dedicated over two decades to defending the environment, land, and water rights in the region of Cabañas. In particular, the targeting of its leaders, Héctor Berrios and Zenayda Serrano, reflects a troubling pattern of intimidation and criminalization that undermines their essential work and violates El Salvador's international legal obligations.

Over the past several months, members of MUFRAS-32 have been subjected to persistent surveillance, harassment, and threats. Military and police personnel have repeatedly surrounded their home and business, carried out unwarranted searches, and monitored their movements. On several occasions, armed individuals have loitered near their residence and openly displayed weapons to intimidate them and their family.

Héctor Berrios, in particular, has been detained arbitrarily and forced to endure degrading treatment. Military officers interrogated him about his tattoos, ordered him to kneel, and pressured him to disclose information about mining tunnels in the region. These actions were carried out in the presence of his wife and daughters, highlighting the deeply invasive and threatening nature of these encounters.

Such intimidation has extended beyond their home. Their family business has been targeted, with soldiers conducting unwarranted inspections and harassing customers. Acts of violence, including gunshots near their residence, have forced the family to relocate for their safety, only to face further surveillance and suspicious visits in their new home. Unsolicited job offers from government-aligned individuals appear to be attempts to co-opt their resistance or monitor their activities.

These actions are not isolated incidents but seem to be part of a broader effort to silence dissent, particularly of environmental defenders opposing the reactivation of metallic mining projects. Despite the legal ban on metallic mining in El Salvador, the government's recent steps to reverse this policy and its engagement with international mining forums raise serious concerns. MUFRAS-32 has repeatedly denounced these efforts, warning of their devastating impact on local ecosystems and communities.

El Salvador, as a State Party to international human rights instruments, has clear obligations to protect the rights of individuals and organizations advocating for human rights and environmental justice. The International Covenant on Civil and Political Rights (ICCPR) guarantees freedom from arbitrary detention and the right to peaceful assembly, while the International Covenant on Economic, Social, and Cultural Rights (ICESCR) protects the right to a clean and safe environment as integral to the right to health. The American Convention on Human Rights further reinforces these commitments, including the protection of the rights to life, personal liberty, and judicial protection. Additionally, the United Nations Declaration on



Human Rights Defenders explicitly recognizes the right to defend human rights without fear of persecution or retaliation..

The actions taken against MUFRAS-32 and its members violate these international obligations and create a climate of fear and impunity. Environmental and human rights defenders are critical to achieving sustainable development and upholding the dignity of marginalized communities. Instead of being criminalized and harassed, they must be protected and supported.

We call on the Government of El Salvador to immediately cease all acts of surveillance, harassment, and intimidation against members of MUFRAS-32 and to ensure their safety, physical integrity, and freedom of movement. We further urge authorities to conduct thorough and impartial investigations into these violations and hold accountable those responsible, including state actors and private entities. It is imperative that the government uphold its commitment to the ban on metallic mining and guarantee full transparency regarding any efforts to reverse this law.

Additionally, we demand an end to the repression of all human rights defenders and environmental defenders in El Salvador. Ratifying the Escazú Agreement would be a crucial step in demonstrating this commitment and strengthening protections for those advocating for environmental and social justice.

We also remind the Government of El Salvador of the global recognition of the right to a healthy environment. This right aligns with El Salvador's own growing recognition of the rights of nature, reflected in the Legislative Assembly's 2019 resolution acknowledging forests as living entities deserving of respect and care. It is vital that these principles guide the government's policies and actions moving forward.

The criminalization and intimidation of MUFRAS-32 and its leaders are an attack on the broader struggle for environmental and social justice in El Salvador. The international community cannot remain silent as defenders of land, water, and human rights face escalating persecution. We stand in solidarity with MUFRAS-32 and reiterate our call for immediate action to protect their lives, work, and dignity.