

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION 82/2025**

Precautionary Measures No. 1150-25, 1152-25 and 1153-25

**William Alexander Martínez Ruano, José Osmin Santos Robles, and Brandon
Bladimir Sigarán Cruz regarding El Salvador**

November 17, 2025

Original: Spanish

I. INTRODUCTION

1. On August 13, 2025, the Inter-American Commission on Human Rights (“the Inter-American Commission,” “the Commission” or “the IACHR”) received three requests for precautionary measures filed by Coalición por los Derechos Humanos y la Democracia – CDHD¹ (“the requesting party”) urging the Commission to request that the Republic of El Salvador (the “State” or “El Salvador”) adopt the necessary measures to protect the rights to life and personal integrity of William Alexander Martínez Ruano², José Osmin Santos Robles,³ and Brandon Bladimir Sigarán Cruz⁴ (“the proposed beneficiaries”). According to the requests, the proposed beneficiaries are Salvadoran citizens who were deported from the United States. After entering El Salvador, they were deprived of liberty and, at present, they remain incommunicado, without their relatives or their lawyers being aware of their detention conditions, their legal situations or their state of health, despite the actions activated internally.

2. The Commission requested additional information from the applicants on August 19, September 22 and 29, 2025, and received their responses on September 1 and 26, as well as on October 4, 2025. Pursuant to Article 25(5) of the Rules of Procedure, it requested information from the State on September 12⁵ and 29,⁶ as well as on October 8⁷, 14,⁸ and 17,⁹ 2025, and received its reports on September 19, October 3, 12,

¹ The requesting party presented documentation that proves the consent and mandate granted by relatives of the proposed beneficiaries to carry out all the necessary actions before international organizations for the protection of human rights, including the request and processing of precautionary measures before the IACHR.

² Under registration of PM-1152-25.

³ Under registration of PM-1150-25.

⁴ Under registration of PM-1153-25.

⁵ In the record of PM-1150-25, the IACHR requested the following: a) Its observations on this request for precautionary measures; b) Indicate the official whereabouts of the proposed beneficiary and whether he is in the custody of the State; c) If he is deprived of his liberty, detail, i) In which detention center he is detained, and ii) His current state of health and what are the conditions of detention of the proposed beneficiary, as well as the possibilities of them having visits from family members and trusted lawyers; d) What is the legal situation of the proposed beneficiary, report whether he has had access to the available domestic remedies and indicate the status of the judicial processes opened against him; e) Its observations on the allegations presented by the requesting party regarding the lack of response from the State regarding the activation of domestic remedies; and f) If his current whereabouts are not known, report on the search actions that have been carried out to find the location of the proposed beneficiary. Provide, if possible, the corresponding documentary support.

⁶ In the record of PM 1150 25, the IACHR requested information in the same terms as indicated in the previous footnote.

⁷ In the records of PM 1152-25 and PM 1153-25, the IACHR requested information in the same terms as the previous footnote.

⁸ In the record of PM 1150-25, the IACHR requested information in the following terms: a) Indicate the official whereabouts of the proposed beneficiary and whether he is in the custody of the State, i) In which detention center he is detained, and ii) His current state of health and what are the conditions of detention of the proposed beneficiary, as well as the possibilities of them having visits from family members and trusted lawyers; b) What is the legal situation of the proposed beneficiary, report whether he has had access to the available domestic remedies and indicate the status of the judicial processes opened against him; and c) Its observations on the allegations presented by the requesting party regarding the lack of response from the State regarding the activation of domestic remedies.

⁹ In the records of PM 1152-25 and PM 1153-25, the IACHR requested information in the following terms: a) indicate what are the conditions of detention of the proposed beneficiary, as well as the possibilities of them having visits from family members and trusted lawyers b) Details on the legal situation of the proposed beneficiary, report whether he has had access to the available domestic remedies and indicate the status of the judicial processes opened against him; and c) its observations on the allegations presented by the requesting party regarding the lack of response from the State regarding the activation of domestic remedies.

18, and 22, 2025. The IACHR forwarded the State's reports to the applicants on September 19, October 14 and 17, 2025. The applicants submitted their responses on September 26, October 20, 23 and 24, 2025.

3. Upon analyzing the submissions of fact and law furnished by the parties, the Commission recognizes that the proposed beneficiaries are in a serious and urgent situation, given that their rights to life and personal integrity are at risk of irreparable harm. Therefore, pursuant to Article 25 of the Rules of Procedure, the Commission requests that El Salvador: a) adopt the necessary measures to protect the rights to life and personal integrity of the beneficiaries; b) clarify the legal situation of the beneficiaries. In particular, formally indicate whether the beneficiaries have been charged with any crime and/or whether they have been brought before the appropriate judicial authority; c) implement the necessary measures to ensure that the conditions of detention of the beneficiaries comply with international standards. In particular, that the situation of prolonged incommunicado detention be ended; that regular contact with and access to their families, lawyers, and representatives be guaranteed as a means of safeguarding their rights; d) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and e) report on the actions taken to investigate the alleged facts that gave rise to this resolution, so as to prevent such events from reoccurring.

II. SUMMARY OF FACTS AND ARGUMENTS

A. Information provided by the requesting party

4. According to the requests, the proposed beneficiaries are Salvadoran citizens who allegedly emigrated to the United States due to economic difficulties in their country of origin. There, they have purportedly worked as laborers in the productive sector. Between December 2024 and March 2025, the proposed beneficiaries were detained in their respective places of residence by the United States Immigration and Customs Enforcement (ICE), until they were deported on flights to El Salvador and deprived of their liberty by state authorities upon their arrival in the country. The requesting party affirms that, since their deportations, their relatives, close people and legal representatives have not known their conditions of detention, their whereabouts, their legal situations, or their state of health.

5. In the three detailed situations, the requesting party alleged, initially, that since the "informal" communications about their deportations, on March 15, 2025, in the cases of Martínez and Sigarán, and since April 13, 2025, in the case of Santos, the proposed beneficiaries remained under "forced disappearance," deprived of liberty, in a situation of prolonged isolation and without communication with their relatives. They also referred to the current context of El Salvador, and to the "state of emergency" decreed on March 27, 2022, and continuously extended. Due to the reported lack of information, representatives of the proposed beneficiaries activated domestic legal remedies before El Salvador.

i. William Alexander Martínez Ruano

6. He is 21 years old. He was detained by ICE agents on December 16, 2024, in the city of El Paso, in the state of Texas. From there he was transferred to a detention center located in the city of Hidalgo, in the same state. The requesting party maintains that he was deported to El Salvador on a flight that allegedly took place around March 13, 2025, since that was the last day that his relatives had contact with him, by phone call. On March 15, 2025, his mother, a resident of the United States, was informed by a call to an ICE official that her son had already been deported to El Salvador. However, his family members do not have documentary support or official record from any of the States concerned.

7. The request adds that his relatives carried out various procedures as part of the search efforts to find his whereabouts. Among them, on March 16, 2025, they went to the General Directorate of Penal Centers (DGCP), and on March 17, 2025, they appeared before the Office of the Attorney General of the Republic (FGR) in El Salvador. In addition, relatives went to the Center for the Confinement of Terrorism (CECOT) on May 21, 2025, to the Santa Ana Industrial Center on May 21 and July 10, 2025, and again to the DGCP on August 25,

2025. In all these institutions, the authorities stated that they were unaware of the proposed beneficiary's whereabouts, as well as the existence of any criminal proceedings against him.

8. The grandmother of the proposed beneficiary Martínez Ruano filed a writ of *habeas corpus* on August 27, 2025, before the Supreme Court of Justice (CSJ)¹⁰, by means of an electronic submission. To date, there has been no response to the appeal.

ii. José Osmin Santos Robles

9. He is 41 years old. He was detained by ICE agents on March 21, 2025, at 6:30 a.m. in New York City, while on his way to catch the train that would take him to his workplace. He was detained for two weeks in Orange County facilities in the same state. He was then transferred to the ICE Processing Center in Pine Prairie, then to Alexandria, both in the state of Louisiana, and from there to the state of Texas, from where he was deported to El Salvador. His family members do not have documentary support or official record from either of the two States concerned regarding his deportation.

10. On April 10, 2025, an agent assigned to ICE contacted his family members to inform them that he would be deported. On April 11, relatives went to the place where the flights arrived with the deported people in El Salvador. The official in charge in El Salvador confirmed that the proposed beneficiary's name was on the list of deportees, but indicated that he was not on the plane. Given this, the relatives undertook a new search in various detention centers in New York, without obtaining information from the authorities, until on April 13, 2025, an official of the United States prison system informed them that the proposed beneficiary had already been deported to El Salvador.

11. His relatives and close relatives carried out various procedures as part of the search efforts to find his whereabouts. Relatives went to the FGR, where they were also informed that the location of the proposed beneficiary was not known. Likewise, a search team including his sister and legal assistance appeared on April 25, 2025, before the Izalco penitentiary, the following day they went to the Santa Tecla Prosecutor's Office, and on April 30 they appeared at the Zacatecoluca penitentiary. Subsequently, a lawyer appointed by his family went to the United States diplomatic headquarters in El Salvador. In all these institutions, the authorities stated that they were unaware of the proposed beneficiary's whereabouts, as well as the existence of any criminal proceedings against him.

12. On May 6, 2025, a writ of *habeas corpus* was filed, in person and in writing, on behalf of José Osmin Santos Robles, through a legal representative, before the Constitutional Chamber of the Supreme Court of Justice (CSJ).¹¹ To date, there has been no response to the appeal. On the same date, he filed a letter of "certification of criminal record" and ascertainment of his whereabouts with the DGCP,¹² which also reportedly remains unanswered.

iii. Brandon Bladimir Sigarán Cruz

13. He is 22 years old. He was detained by ICE agents on February 22, 2025. After signing his voluntary departure, he was deported to El Salvador on March 15, 2025. This information was provided by telephone to the proposed beneficiary's mother on March 15, 2025, by an official assigned to ICE. His family members do not have documentary support or official record from either of the two States concerned regarding his deportation.

14. His mother, a resident of the United States, hired a female lawyer in El Salvador to find the whereabouts of the proposed beneficiary. On July 15, 2025, the professional appeared at the CECOT and "El

¹⁰ Print of mail proving the electronic submission was attached to the request.

¹¹ The brief presented was attached to the request.

¹² The brief presented was attached to the request.

Penalito” detention centers. On August 1, 2025, she appeared again before the CECOT authorities. In all these institutions, the authorities stated that they were unaware of the whereabouts of the proposed beneficiary. Similarly, the requesting party indicated that, on August 1, 2025, the proposed beneficiary’s mother instructed the designated lawyer to file a writ of *habeas corpus*, but the professional reportedly refused, based on a fear of reprisals against her by the State for her work as a defender.

15. The mother of the proposed beneficiary Sigarán filed an internal writ of *habeas corpus* also on August 27, 2025, by electronic means, before the CSJ.¹³ In this particular case, the Constitutional Chamber of the CSJ issued a resolution on September 12, 2025.¹⁴ The Chamber ruled:

[...] In the present case, this Chamber notes the lack of precision of the factual arguments, because, although it claims the capture and referral to the country of Mr. *Sigarán Cruz*, by United States authorities, and the lack of knowledge of the current whereabouts, what is stated by the petitioner is insufficient to carry out an analysis of the merits of what is argued, which inhibits this court from ruling on it [...].

16. The Chamber requested the plaintiff to provide additional information. The requesting party notes that the proposed beneficiary’s mother timely complied with the requirements formulated by the Chamber within the established procedural period. In this regard, in addition to formulating similar allegations provided to the IACHR, they provided the CSJ with¹⁵: i) a copy of the request submitted to the FGR on April 2, 2025, and the response of the institution in which it declared itself incompetent to respond on the whereabouts of the proposed beneficiary, dated April 10, 2025; ii) screenshots of communications maintained by the *WhatsApp* application dated April 2, 2025, with an official of the Virtual Consulate of El Salvador, that also did not provide answers on the conditions of detention, it is recommended to request information from the FGR; iii) screenshots of communications maintained by emails dated April 2, 2025, with the National Police in which the institution refers the plaintiff to the unanswered resolution of the Virtual Consulate; iv) screenshots of communications maintained by the *WhatsApp* application dated April 2, 2025, with the Office of the Attorney General of the Republic, where an agent identified with No. 1002 informed them that there is no registration in the Penal System in the name of the proposed beneficiary, recommending that they contact Immigration and Foreign Affairs. From the documentary support provided, it can be seen that the FGR resolved on April 10, 2025:

[...] On April 2 of this year, a request for information was received by means of an institutional email from this Unit, in accordance with the Law of Access to Public Information (hereinafter, LAIP) [...] this Unit is incompetent by virtue of the purpose and nature of the procedure of access to information regulated in the LAIP [...].

17. In this regard, the requesting party informs that, despite the response and information provided to the CSJ, the judicial body to date has not issued any response or resolution after the last submission.

18. Following the State’s response in the framework of the requests for precautionary measures, in which El Salvador reported on the detention and current whereabouts of the proposed beneficiaries, the applicant maintained that this does not imply that the situations presenting a risk have ceased; since the proposed beneficiaries remain under a regime of incommunicado detention. The requesting party notes that this condition keeps them in a situation of extreme vulnerability, in which there is still a risk that they will be subjected to acts of torture, cruel, degrading inhuman treatment, or even a new forced disappearance, given the circumstances of their detentions and the lack of effective guarantees of judicial control or access to communication with their representatives and family members. In the same vein, it is noteworthy that the State has not explained the reasons or the legal basis under which the proposed beneficiaries are held incommunicado.

¹³ Print of mail proving the electronic submission was attached to the request.

¹⁴ A copy of the resolution was attached to the request.

¹⁵ The brief with its respective documentary support was attached to the request.

B. Response from the State

19. The State considered that the requests do not meet the evidentiary and specificity standards required by the Rules of Procedure of the IACHR for the granting of precautionary measures. In this sense, it argues that they lack solid argumentation, and do not prove the seriousness, urgency, and risk of irreparable harm. It understands that the representation's argumentation incurs a deviation of purpose, by concentrating on demonstrating the alleged substantive violation of the alleged enforced disappearances, an issue that would correspond to the examination of an individual petition and would exceed the preventive and temporary nature of the precautionary mechanism.

20. In its response, the State reaffirmed its commitment to respect and protect the human rights of all persons under its jurisdiction, and reiterates its willingness to collaborate with the inter-American human rights mechanisms. It expresses its recognition and respect for the precautionary power of the Commission, as it is an essential mechanism to prevent irreparable harm to fundamental rights. However, it warns that the Commission must avoid being constituted as an instrumentalised mechanism for the management of cases of people with criminal records or linked to open criminal proceedings. It alerts that this position does not seek to exclude individuals with criminal records from the protection of the system, but to ensure procedural integrity and institutional balance within the inter-American system. When the mechanism is invoked to interfere with open criminal investigations or to facilitate the evasion of justice by persons with ongoing judicial notices or proceedings, its purpose is distorted, towards the facilitation of a procedural advantage, exceeding the limits of its precautionary mandate. It adds that the State has a conventional obligation to protect human rights, but also a duty to maintain public order and administer justice effectively.

21. The State points out that the representation of the proposed beneficiaries argues that the alleged refusal of the Salvadoran authorities to recognize the detention constitutes a direct violation and that this silence, not proven, authorizes the presumption of the veracity of the risk. However, the State points out that, in the precautionary procedure, the IACHR must focus on the strict evaluation of the need for immediate and urgent protection; therefore, if there were actually a state silence, which it points out there is not, it would be insufficient by itself to prove the imminence required for the granting of a precautionary measure. It also maintains that the requests seek to establish responsibility to El Salvador, despite the fact that the applicant confirms that the initial arrests occurred under the jurisdiction of another State, which prevents the State from providing observations on the action of a foreign authority or documenting the resources available in that territory. In particular, with regard to the latter, the applicant fails to specify whether legal remedies were filed in another State to challenge the alleged arbitrary detention or deportation by the authorities of that State.

22. The State also highlighted the diligent action taken in the search, while the response reports to the Commission account for the whereabouts of the proposed beneficiaries. It questioned the allegations of the requesting party regarding the alleged refusals of the State to provide information, pointing out a lack of documentary support regarding them.

23. In a communication dated October 3, 2025, the State confirmed that, according to the verification carried out in the official records of the State, **José Osmin Santos Robles** was transferred to El Salvador from the United States. It also indicated that he remains in custody in the Salvadoran Penitentiary System. On October 18, 2025, the State extended that Mr. Santos Robles is in the custody of the State at the Santa Ana Industrial Center for Sentence Compliance and Rehabilitation.

24. On October 12, 2025, the State submitted its reports regarding the other two proposed beneficiaries. It also confirmed that, according to the verification carried out in the official records of the State, the proposed beneficiaries were transferred to El Salvador from the United States. In this sense, it reported that **William Alexander Martínez Ruano** has been detained at the Santa Ana Industrial Center for Sentence Compliance and Rehabilitation since April 10, 2025. For his part, **Brandon Bladimir Sigarón Cruz** has been in the CECOT since March 15, 2025.

25. In relation to their current states and health conditions, the State indicates that the detention standards are met and that the State guarantees the personal integrity of the proposed beneficiaries. All the proposed beneficiaries receive attention from the Multidisciplinary Team of the Penitentiary Center, they are provided with personal hygiene and well-being products and have a healthy diet. To date, they do not have any symptoms or conditions that affect their health, so they are healthy and are evaluated periodically through the Penitentiary Clinic. In the same way, the proposed beneficiaries reportedly have an active participation in programs that seek to enhance the development of their attitudes and capacities.

26. Regarding the possibilities of family and professional visits, it is complemented that these are governed by the current internal regulations of the Salvadoran Penitentiary System, which apply without distinction to all persons in state custody, ensuring regulated contact.

27. Regarding their legal situations, it was pointed out that the current state custody is maintained due to the fact that a history of crimes committed in the United States has been identified, and El Salvador has requested complementary information on the judicial roots and the migratory and legal situation from the sending State, pending the provision that it adopts. In the specific case of Sigarán Cruz, the State added that the proposed beneficiary is “profiled as an active member of the Mara Salvatrucha (MS13) criminal structure.”

28. The State made its observations regarding the *habeas corpus* judicial remedies filed in favor of the proposed beneficiaries. In this regard, it states that their legal representation is responsible for diligent follow-up before the competent judicial instance. In addition, it is noted that the main objective of that appeal has been met, while the current situation and whereabouts of the proposed beneficiaries have already been communicated through the Commission.

29. Finally, the State “categorically” rejects the requesting party’s assertion of the existence of a risk to the physical, mental and moral integrity of the proposed beneficiaries. It points out that these assertions are based on unfounded assumptions, given that they are in verifiable state custody and in good health, with guaranteed medical care, in a known detention center. The State has already shown that the proposed beneficiaries are not missing, but in state custody in the Penitentiary System pending the provisions that the sending State adopts on their persons.

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 an 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.¹⁶ Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.¹⁷ To do this, the IACHR shall assess the

¹⁶Inter-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.

¹⁷ 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

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.¹⁸ 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.¹⁹ 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 exists²⁰.

33. As a *preliminary matter*, the Commission recalls that, by its own mandate, it is not called upon to determine individual liabilities 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.²¹ 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 determining criminal liabilities for the facts alleged. The following analysis refers exclusively to the requirements of Article 25 of its Rules of Procedure, which can be resolved without making any determination on the merits.²²

34. Since the request was filed with respect to El Salvador, the Commission will analyze the situations presented in light of the conditions of detention in which they currently find themselves in that

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).

¹⁸ 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).

¹⁹ I/A Court H.R., [Matter of the 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.

²⁰ 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.

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

²² In this regard, the Court has indicated 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.” See in this regard: 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.

country, taking into account the relevant background. 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 prejudgment on the violation of any right protected by the American Convention on Human Rights or other applicable instruments.”

35. Pursuant to Article 25(6) of its Rules of Procedure, the Commission takes into account the context and the monitoring that it has been carrying out in El Salvador.

36. In its *2024 State of Emergency and Human Rights in El Salvador Report*, 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 access to legal defense, prolonged and indefinite isolation under inhumane conditions, adverse health effects, and the suspension of visits.²³ The IACHR 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 location of their relatives’ detention.²⁴ According to the press, the Prison Information System (SIPE), which centralized information on the prison population, was deactivated for access from court headquarters in December 2021.²⁵ The Commission was informed of cases in which the whereabouts of the detained person remained unknown for days or weeks after being transferred to various prisons as the information was not provided to their families in a timely manner²⁶.

37. Likewise, the Commission recognized and positively assessed the measures adopted by the State, in order to improve hygiene conditions, identify people with differentiated medical care or medication needs, and treat them according to their particular conditions.²⁷ However, the IACHR noted that persons deprived of liberty in El Salvador continue to face inhumane conditions of detention.²⁸ Despite the measures indicated, both the information received from civil society organizations and the testimonies collected underline the aggravation of precariousness in various detention centers, as well as the serious risks to the rights to health, personal integrity and life of these people.²⁹ In this regard, the IACHR regrets the lack of consent from the State for an *on-site* observation on this matter.³⁰

38. In the aforementioned report, the Commission considered it important to highlight the seriousness of the detainees’ continued incommunicado detention, especially when this is added to complaints about failures to register and access information on detainees.³¹ Civil society organizations denounced the absence of a centralized and efficient system of information on detainees, and that institutions that should keep updated records, such as the DGCP and the Department of Information on Detained Persons of the CSJ, did not have the updated information or did not provide it.³² The IACHR referred to the importance of ensuring direct contact and maintaining links between detainees and their families, recommending that visits be guaranteed in all penal establishments on a regular basis.³³

39. Within the framework of the precautionary measures mechanism, the IACHR has analyzed individualized matters of risk regarding persons deprived of liberty subject to solitary confinement in the

²³ IACHR, [Report on the State of Emergency and Human Rights in El Salvador](#), OEA/Ser.L/V/II Doc. 97/24, June 28, 2024, para. 266.

²⁴ IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 267.

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

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

²⁷ IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 264.

²⁸ IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 264.

²⁹ IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 264.

³⁰ IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 264.

³¹ IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 266.

³² IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 267.

³³ IACHR, Report on the State of Emergency and Human Rights in El Salvador, previously cited, para. 272.

country. In this regard, on September 22, 2025, the Commission issued precautionary measures in favor of Ruth Eleonora López Alfaro³⁴ and Salvador Enrique Anaya Barraza³⁵ in El Salvador. After analyzing the specific situations of such persons, the IACHR requested that the State, among other things, immediately end the prolonged incommunicado detention; and guarantee regular contact with and access to her family, attorneys, and representatives as a means of safeguarding her rights³⁶.

40. Taking into account the regional context, including El Salvador, on May 15, 2025, the Commission expressed concern about the increase in practices of forced return, deportations, and expulsions of migrants and refugees, both to their countries of origin and to third countries, without the due process guarantees or respect for their human rights.³⁷ The IACHR has also received numerous complaints about the indiscriminate use of immigration detention, the incommunicado detention of migrants, and the occurrence of short-term forced disappearances in the context of involuntary or compulsory departure procedures.³⁸ Regarding this point, the IACHR has emphasized that the irregular migratory situation, by itself, should not be a basis for the deprivation of liberty.³⁹ In essence, it constitutes a violation of an administrative rule, which should not be understood as a criminal offense, so that detention should not constitute the State's first response.⁴⁰ Similarly, in cases where detention is applicable, full respect for procedural guarantees must be guaranteed.⁴¹ Detained migrants must be informed about the grounds for their detention, their rights, as well as the mechanisms available to challenge this measure.⁴²

41. 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 places the proposed beneficiaries at risk under the conditions of detention in El Salvador.

42. As for the requirement of *seriousness*, the Commission considers that it has been met, given that, since their deportations from the United States and entry into El Salvador, their relatives initially did not know the proposed beneficiaries' whereabouts and there was no information about their conditions after their arrival in the country. This situation persisted, despite the search actions carried out, administrative actions, and the constitutional remedies of *habeas corpus* activated; the latter reportedly continue without a substantive decision on the complaints of the requesting party. In this regard, the Commission recalls that, through Resolution No. 4/19 on the "Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons and Victims of Human Trafficking," has urged States of origin and destination to articulate resources to establish more efficient coordination mechanisms so that family members know the exact place and time when their family member will be deported, as well as the necessary means to establish communication with their relatives and inform them of the place and time of their arrival⁴³.

43. Then, during the processing of these requests for precautionary measures, the State confirmed that the proposed beneficiaries were detained, after which the relatives argued that they were in a situation of incommunicado detention. To date, this Commission understands that it has been about seven months since the proposed beneficiaries allegedly had no contact with their relatives and/or lawyers. The State did not detract from the incommunicado detention of the proposed beneficiaries, despite the express request of the IACHR to rule on the possibility of visits by their relatives and trusted lawyers. The State also expressed that

³⁴ IACHR, [Resolution No. 66/25](#), PM No. 667-25, Ruth Eleonora López Alfaro regarding El Salvador, September 22, 2025.

³⁵ IACHR, [Resolution No. 67/25](#), PM No. 929-25, Salvador Enrique Anaya Barraza regarding El Salvador, September 22, 2025.

³⁶ IACHR, [Resolution No. 66/25](#), previously cited, para. 46(b); [Resolution No. 67/25](#), previously cited, para. 53(b).

³⁷ IACHR, Press Release No. 102/25, [IACHR urges States to guarantee the rights of returned, deported, or expelled people](#), May 15, 2025.

³⁸ IACHR, Press Release No. 102/25, previously cited.

³⁹ IACHR, Press Release No. 102/25, previously cited.

⁴⁰ IACHR, Press Release No. 102/25, previously cited.

⁴¹ IACHR, Press Release No. 102/25, previously cited.

⁴² IACHR, Press Release No. 102/25, previously cited.

⁴³ IACHR, [Resolution No. 04/19](#) Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons and Victims of Human Trafficking, December 7, 2019, principle 75.

there are applicable internal regulations, but did not provide a response that would be sufficient to find that the proposed beneficiaries have contact with the outside world, or that there are chances to process a visit through procedures established in the country.

44. In addition, there are no elements to know when and how that incommunicado regime would end with respect to the individualized situation of the proposed beneficiaries. The Commission does not have elements or documentary support that reflect that an assessment of the individualized circumstances of the proposed beneficiaries has been carried out in order to guarantee their rights. In this regard, this Commission recalls that the Inter-American Court has indicated 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 expressly established by the 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.”⁴⁴

45. 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.⁴⁵ It has also considered that prolonged isolation and incommunicado detention constitute, in themselves, forms of cruel and inhuman treatment.⁴⁶ The Court has also highlighted that States must ensure that persons deprived of their liberty are able to contact their relatives.⁴⁷ As the Court held in the matter of *Guanipa Villalobos regarding Venezuela*, it is important to consider that:

[...]In effect, the detention without communication not only makes it impossible to verify the current situation of the proposed beneficiaries, but also implies a curtailment of the procedural guarantees of all detainees [...]⁴⁸.

46. Under these considerations, and based on the information available, the Commission understands that, to date, the only source of information regarding the situation of the proposed beneficiaries is the response provided by the State. There is no known scenario in which their legal representatives or family members can have direct contact with them, thereby preventing any verification of how the State is guaranteeing their rights. The reported lack of communication makes the situation particularly serious, since the Commission understands that this circumstance also limits the possibility for their family members and attorneys to monitor respect for the proposed beneficiary’s rights, learn about their situation in the prison, and take the necessary actions to guarantee their protection.

47. In addition, the Commission has no evidence that the proposed beneficiaries were brought before the competent courts of El Salvador, nor is there any information regarding the imposition of charges or the initiation of legal proceedings against them. In this sense, the Commission understands that their friends and family are unable activate the corresponding resources for their protection, as the competent court for their criminal proceedings, if these exist, has not been identified. In this sense, the State has not given a concrete response to different internal requirements, through constitutional remedies, nor to the requests by the IACHR—as well as their reiterations—. The Commission notes that the State indicated that it was waiting for complementary information on immigration and legal situations in the United States, and complemented that one of the proposed beneficiaries was “profiled as an active member of the Mara Salvatrucha (MS13) criminal structure.” However, this response does not allow family members and legal representatives to know, or have

⁴⁴ I/A Court H.R., Case of Suárez Rosero v. Ecuador, Merits, Judgment of November 12, 1997, Series C No. 35, para. 51.

⁴⁵ I/A Court H.R., Case of Espinoza Gonzáles v. Peru, Preliminary Objections, Merits, Reparations, and Costs, Judgment of November 20, 2014, para. 186; Case of J. v. Peru, Judgment of November 27, 2013, considerandum 376; Case of Cantoral Benavides v. Peru, Merits, Series C No. 69, para. 82; and Case of Suárez Rosero v. Ecuador, previously cited, considerandum 90.

⁴⁶ I/A Court H.R., Case of Maritza Urrutia v. Guatemala, Merits, Reparations, and Costs, Series C No. 103, para. 376.

⁴⁷ I/A Court H.R., Case of J. v. Peru, previously cited; and Case of Espinoza Gonzales v. Peru, previously cited.

⁴⁸ I/A Court H.R., Matter of Guanipa Villalobos regarding Venezuela, Provisional Measures, Order of October 15, 2025, considerandum 41.

the possibility of knowing about the legal situations of the proposed beneficiaries after their detentions. Nor does it prove that there are Salvadoran judicial authorities controlling the causes and conditions of detention of the proposed beneficiaries.

48. 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 show that there are no serious and urgent conditions that could result in irreparable harm to the proposed beneficiaries of the provisional measures.⁴⁹ This requires not only the existence of statements tending to contest their allegations, but also to show the absence of risk.⁵⁰

49. In short, the Commission understands that, at present, the proposed beneficiaries are being held incommunicado by their relatives and legal representatives, who are unable to receive direct information about their legal situations, detention conditions, and health conditions. This situation has persisted, despite the internal actions initiated in the country before various judicial and administrative institutions. In light of what has been developed, the Commission concludes that, according to the applicable *prima facie* standard, the current situation of the proposed beneficiaries is particularly serious and there is a serious risk to their rights to life and personal integrity in El Salvador.

50. With regard to the requirement of *urgency*, the Commission deems that it has been met given that, should the proposed beneficiaries continue to face the situation described, they are likely to be imminently exposed to a greater impact on their rights. The Commission therefore notes that, given their status as persons deprived of liberty, the lack of communication with their family members and legal representatives, and the absence of possibilities to contrast their detention conditions, there is an imminent possibility that the risk will materialize. 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 identified situations. Therefore, it is necessary to immediately adopt measures to safeguard their rights to life and personal integrity.

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

IV. BENEFICIARIES

52. The Commission declares as the beneficiaries of the precautionary measures (1) William Alexander Martínez Ruano, (2) José Osmin Santos Robles, and (3) Brandon Bladimir Sigarán Cruz, who are duly identified in this proceeding.

V. DECISION

53. The Commission understands 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 and personal integrity of the beneficiaries;

⁴⁹ I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, Provisional Measures, Order of June 24, 2021, para. 38.

⁵⁰ I/A Court H.R., Matter of Juan Sebastián Chamorro et al. regarding Nicaragua, previously cited.

- b) clarify the legal situation of the beneficiaries. In particular, formally indicate whether the beneficiaries have been charged with any crime and/or whether they have been brought before the appropriate judicial authority;
- c) implement the necessary measures to ensure that the conditions of detention of the beneficiaries comply with international standards. In particular, that the situation of prolonged incommunicado detention be ended; that regular contact and access with their families, lawyers, and representatives be guaranteed as a means of safeguarding their rights;
- d) consult and agree upon the measures to be adopted with the beneficiaries and their representatives; and
- e) report on the actions taken to investigate the alleged facts that gave rise to this resolution, so as to prevent such events from reoccurring.

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

55. The Commission emphasizes that, pursuant to Article 25(8) of its Rules of Procedure, the granting of precautionary measures and their adoption by the State do not constitute a prejudgment regarding the possible violation of the rights protected in the American Convention and other applicable instruments.

56. The Commission instructs its Executive Secretariat to notify this resolution to the State of El Salvador and the requesting party.

57. Approved on November 17, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Edgar Stuardo Ralón Orellana, Second Vice-President; Roberta Clarke; Carlos Bernal Pulido; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary