Human Rights Council

SPsMUN 2026

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LETTER FROM THE DAIS

Dear delegates,

It is with great excitement that we welcome you to the Human Rights Council of this year's edition of SPsMUN! We are your chairs Muhle Kumalo and Thomas Tamer, and we are beyond thrilled to accompany you through what we promise will be a weekend full of fruitful debate, thoughtful diplomacy and unforgettable memories.

The Human Rights Council lies at the very core of the United Nations' mission, to uphold the inherent dignity and equality of every individual. This year, you will be tackling one complex and deeply relevant topic that demands empathy, creativity and critical thinking. As delegates, your challenge will not be to only defend your country's stance but to do so through a human lens: one that values justice, compassion, and global cooperation. Whether you have years of experience or this is your first conference, we want this committee to feel like a space where you can speak fearlessly, think boldly, and engage respectfully. The best debates happen when diverse voices come together, when passion meets preparation, and when diplomacy turns into action.

In the days leading up to SPsMUN, we encourage you to immerse yourself in your research, not simply memorizing facts but truly understanding the human stories behind the issue. The most impactful delegates are those who can blend logic with empathy, using knowledge not just to argue but to inspire. Above all, don't hold back. MUN is your chance to step outside your comfort zone, raise your placard, and make your voice heard. Every point, every speech, every question matters, and you'll be surprised how much you will grow through the process. We are very excited to meet you all and witness your dedication and the committee come to life.

Sincerely,

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INTRODUCTION TO THE HUMAN RIGHTS COUNCIL

UN Human Rights Council

The Human Rights Council is an intergovernmental body within the United Nations system made up of 47 States responsible for the promotion and protection of all human rights around the globe. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the years. It meets at the United Nations Office at Geneva where the Council works as one of the most active and reactive organs in the UN system in a continuous movement in a world where human rights challenges evolve much faster than ever. What makes the HRC so different is not its mandate but the way it juggles diplomacy, accountability, and open debate. States sit side-by-side with independent experts, NGOs, and observers in a setting where sensitive issues can get confronted directly, sometimes uncomfortably, but always necessarily. Over the years, the Council has become a site where communities can bring attention to violations that might otherwise stay buried. Whether it's a question of discrimination, conflict-related abuses, digital rights, or even

threats to fundamental freedoms, the HRC generally obliges the international communities to have a look at the realities which it cannot overlook. The instruments of this organisation, particularly the Universal Periodic review and the network of the Special Rapporteurs, have been options for countries to evaluate their own records and to tolerate the examination of others. Although it is not a perfect place, it is still one of the very few sites where the human rights situation is continuously monitored from a global perspective. The Human Rights Council is an instrument that pushes the world to move towards higher standards. It does so by creating pressure, facilitating cooperation, and empowering individuals and groups who are not in a position to make their voice heard. As delegates, it is very important to know the Council and understand its significance. Any human rights dialogue will always be grounded in the existence of the cases, the crisis, and the common obligation to defend human dignity when it is violated.

TOPIC:
Resolving the Human Rights Crisis under the State of Emergency in El Salvador

MOVIR demonstration. Movement of Victims of the Regime in El Salvador.

BACKGROUND INFORMATION

For many decades, El Salvador was influenced by gangs such as MS-13 and Barrio 18, they controlled neighbourhoods, businesses, and handed out recruitment appeals to children. By 2015, El Salvador had a murder rate of 106 per 100,000 individuals, among the highest rates worldwide. Following governments attempted to implement ceasefires and anti-gang policies, but none managed to solve the issue. However, on the 3rd of February 2019, Nayib Bukele was elected. He faced a nation where violence had been a constant threat. The need for him to take harsher measures intensified following the sudden killing of 87 people during the weekend of March 25-27. On March 27, the government imposed a state of emergency, during which it suspended some rights, notably the allowance for the police to arrest individuals without warrants, the right for the state to keep people pre-trial for extended periods, and the conducting of massive military operations against marginalized populations.

Once the operation started, over 80,000 people have been arrested, with more than 3,000 being children. These large-scale arrests were made possible due to the state of emergency, which suspended key legal protections and allowed security forces to detain people without warrants and hold them for extended periods without formal charges. Mass online courts have been conducted with hundreds of detainees at one time, and parents have not been informed of the current status of their arrested family members. As the number of arrests rose, the prison's population surpassed 100,000 detainees, breaking the capacity that was originally constructed for a population of less than a third of the current number. The situation rapidly deteriorated: severe overcrowding, lack of medical facilities, poor provision of food and water, cases of torture, enforced disappearance, and numerous documented deaths. The government established the “Megaprison,” or CECOT, a new facility that is intended for 40,000 inmates, where they will live in very controlled and restrictive circumstances.

Nevertheless, the Salvadoran government continues to claim that the policy is needed in order to guarantee the national security of the country, because it should be acknowledged

that the numbers of homicides have decreased significantly, going from 106.8 per 100,000 citizens in 2015 to 2 per 100,000 in recent years. However, the scale of arbitrary arrests, the deterioration of the prisons, and the state of denial of due process have led the state of emergency, to become one of the biggest challenges that the protection of the rights of the people of the Americas is facing. This not only affects the current situation of the prisons of El Salvador, but it also brings up the bigger question of how much the government can abuse the concept of security.

CURRENT SITUATION

El Salvador continues to be under a state of emergency, which has been progressively renewed every ninety days by the legislative assembly. A state of emergency leads to the suspension of a series of constitutional rights, including detention without charges and procedural rights in detention. The government, in this case, considers this a necessity in terms of security threats posed by criminal gangs.

As stated by the UK Government in its *Country Policy and Information Note: Fear of Gangs in El Salvador* (2025): "The present reality begins with a situation of gang-related criminality that dates before this state of emergency. Institutions such as Mara Salvatrucha, known as MS-13, and Barrio 18 have had a continuous presence in most neighborhoods during most of this last decade with extortion rackets, territorial control by force, recruitment by force, and periodic bouts of deadly violence. Several years during this decade saw the country record among the highest homicide rates globally, creating a perception of insecurity and a loss of confidence in institutions of governance."

Following the implementation of emergency powers, there have reportedly been reduced numbers of officially recorded homicides and other forms of violence. Official reports have indicated a reduction in gang structures, a breakdown of territorial control, and an increased presence of state institutions in neighbourhoods where access had previously been limited. On the other hand, the emergency state of exception has facilitated a massive scale-up of arrests. Tens of thousands of people have been arrested through increased police and military powers without necessarily getting a prior judicial approval. Reports from local civil society bodies, in addition to human rights bodies internationally, show that a good number of these people have remained under detention without charge, access to lawyers, and with very limited chances to contest their detention in a court of law. The increased numbers in prisons have further put pressure on the detention system. Overcrowding has intensified in existing prisons as a result of the rapid increase of the detained population, in addition to those with capacity in newly constructed prisons meant

to hold suspects arrested for gang membership. Reports from human rights observing bodies have noted limited interaction with relatives, lack of external scrutiny, and a lack of information available to the public concerning detention circumstances. Cases of death in custody and ill-treatment have been cited.

Public opinion in El Salvador portrays a split attitude towards these events. Based on available surveys and publicly voiced support, a large part of society appears to support a continuation of these emergency steps, citing improvements in their personal security among other reasons. Meanwhile, views from journalists, opposition leaders, and human rights activists have voiced worries over concerns about reducing civic space and limitations on public scrutiny.

A similar divide can be seen in international reactions. Some governments in the region have praised El Salvador's security outcomes and expressed interest in adopting comparable measures. Others, including human rights institutions and several states, have raised concerns about the prolonged suspension of constitutional protections, increased executive influence, and weakened judicial independence. Calls for greater transparency, independent monitoring, and a gradual restoration of legal safeguards have so far been rejected by Salvadoran authorities, who argue that such proposals fail to reflect domestic security priorities. Overall, the current situation is defined by improved security indicators alongside ongoing disputes regarding legality, proportionality, and institutional oversight, leaving the long-term consequences of emergency governance unresolved.

PAST UN ACTIONS

March 2022 - The Office of the High Commissioner for Human Rights (OHCHR) began to express concerns about the emergency situation in El Salvador in March 2022. It pointed out that the government's fast, large-scale arrest of people and the suspension of rights that are part of the basic due process, such as access to a lawyer, the presumption of innocence, and protection against arbitrary detention, appeared to create a setting in which serious human rights violations might occur. The UN reiterated that even in emergencies, the state has to abide by its international obligations, especially regarding the right to a fair trial and the humane treatment of detainees. Such concerns intensified when the OHCHR found in March 2023 that there were hundreds of cases of ungrounded arrests, people being ill-treated, dying in custody, and, furthermore, some claims of torture. At that moment, the office publicly acknowledged the human rights crisis in question as rapidly escalating.

March 2023 - Three UN Special Rapporteurs in a joint statement, in May 2023, condemned the government for the repeated extensions of emergency powers. They said that the loss of judicial independence combined with the large-scale arrests made it possible for the perpetrators to commit human rights violations with complete impunity. The Human Rights Council, however, refrained from initiating a full investigation into the issue but acknowledged the crisis through its interactive dialogues throughout 2023 and 2024. Delegates talked not only about prison overcrowding and breaches of due process but the treatment of children as well, which was an additional source of their concern.

2024 - Throughout 2024, the UN exerted continuous efforts to gain access to detention facilities, particularly the heavily publicized government "mega prison, " but their appeal was consistently declined, and thus the issue of detainees' lack of transparency remained the primary concern. Due to the lack of a significant UN resolution or an investigative mission, various other international organizations have been involved in the monitoring tasks left incomplete: for instance, the Inter American Commission on Human Rights (IACHR) conducted public hearings, implemented precautionary measures for people in situations of risk, and expressed its dissatisfaction with the lack of cooperation from El

Salvador. At the same time, the OAS Secretary-General's messages urging the government to align its security strategy with human rights standards were among the ways of putting pressure on El Salvador.

El Salvador's 2024 Universal Periodic Review was another instance where the government experienced a different kind of pressure. Countries such as Canada, EU member states, and several Latin American nations that had the floor, expressed their concern about the mass arrests, the bad conditions in prisons, and the decline of judicial independence. They turned the UPR into one of the very few formal UN platforms where countries could directly engage with the human rights record of El Salvador during the extended state of emergency.

MAJOR BLOC POSITIONS

El Salvador

El Salvador believes that its state of emergency is justified and essential to end gang violence and restore public safety. Since the declaration of the state of emergency in March 2022, the government argues that the measures have allowed large-scale detentions and focused targeting of criminal structures. Bukele's government believes that even if wrongful arrests have occurred (around 8,000), the trade-off is justified since it weakens gangs that once terrorized communities. The government sees its police action as a long-term strategy, and has stated that it will continue the regime until the remaining core gang members are arrested. Simultaneously, the administration defends its working conditions of detention facilities and the increased powers of police forces, arguing these circumstances indicate more aggressive approaches. Bukele's narrative is popular domestically; his aggressive anti-crime approach is portrayed as a way to protect the Salvadorans, and he rejects much of the international criticism by claiming that safety gains outweigh temporary restrictions on civil liberties. Therefore, El Salvador believes that a temporary removal of civil rights will benefit the majority of the population, since dangerous gang members are contained, causing citizens to be safer and be less inclined to criminal exposure.

Venezuela

Venezuela condemns El Salvador's state of emergency. In 2025, Venezuelan attorney General Tarek William Saab publicly announced an investigation regarding allegations that Bukele's government subjected Venezuelan migrants deported from the U.S. to El Salvador to torture, mistreatment, and inhumane conditions in Salvadoran prisons. Saab states detainees experienced physical and psychological abuse, were denied medical care, and that they were kept without adequate legal protections. The diplomatic tensions escalated further when Bukele proposed a prisoner-swap deal, where he offered to repatriate 252 Venezuelans held in Salvadoran detentions centres in exchange for 252 political prisoners held in Venezuela. Venezuela rejected the offer after Venezuela's prosecutor's office responded to it as "cynical" accusing Bukele of "Human trafficking". From Venezuela's

perspective, the aggressive security model in El Salvador doesn't only violate the rights of Salvadorans, it also creates a direct threat to Venezuelan citizens abroad. Venezuela argues that Bukele's regime is abusing detained Venezuelans for political purposes and is willing to expose them to systemic abuse. Therefore, Venezuela argues that Bukele's use of a state of emergency harms Venezuelan citizens held in Salvadoran prisons and violates multiple human rights.

United States of America

The United States holds a cautious but strategically significant position on El Salvador's state of emergency. On one hand, U.S. authorities acknowledge that Bukele's security campaign has delivered striking reductions in violence, reports from U.S. institutions note that tens of thousands of alleged gang members have been arrested, and the homicide rate has dropped drastically since the emergency began. Yet at the same time, U.S. policymakers and human rights experts have repeatedly expressed serious concerns about the aftermath: mass arrests, indefinite judicial detentions, the suspension of due process, and reports of abuse in prisons. American civil society and advocacy groups, such as WOLA, argue that Bukele's model "relies on incarceration without promising access to justice or due process" highlighting that numerous detainees are accused of association and processed through mass trials. U.S. lawgivers and analysts also warn that the policy risks undermining institutional checks, since the state of emergency has been extended repeatedly and normal judicial guarantees remain suspended. At the same time, the United States has directly cooperated with El Salvador on migration and security policy, including the deportation of migrants and individuals accused of gang affiliation to Salvadoran detention facilities. This cooperation, which has generated domestic and international controversy, highlights a tension between U.S. criticism of human rights violation and its practical reliance on El Salvador's security system to manage migration and transnational crimes. Simultaneously, Washington remains engaged with Bukele on migration and security policy: part of the U.S. strategy appears to involve using El Salvador's prison capacity to take in certain deportees. This complex approach reflects the tension between the U.S. interest in curbing regional gang violence and its commitment to human rights norms.

Costa Rica

Costa Rica's position toward El Salvador's long-running state of emergency implies a supportive, practical view grounded in security concerns. In November 2024, Costa Rican President Rodrigo Chaves awarded Salvadoran president Nayib Bukele the Orden Nacional Juan Mora Fernandez, the country's highest diplomatic honour, explicitly citing "historic advances in security" and the dismantling of organized crime. Chaves praised Bukele's "commitment, determination and courage" in confronting gang violence, showing his policies as a regional contribution to peace. Costa Rica is dealing with a rise in violence, and as a response, its government is leaning into El Salvador's hardline crime-control model. The Costa Rican justice minister visited El Salvador's CECOT prison to study its security protocols and design. This visit reflects Costa Rica's interest in adapting elements of El Salvador's maximum-security detention model to address its own rising of gang violence and prison security challenges. Costa Rica's support for El Salvador's state of emergency isn't just ideological, it's practical. President Rodrigo Chaves argues that protecting the right to life justifies making difficult trade-offs in civil liberties when insecurity becomes extreme. However, that backing comes amidst serious warnings from international human rights bodies. Therefore, Costa Rica is supportive of Bukele's use of the state of emergency, believing that the use of the state of emergency is essential to end gang violence. President Chaves not only supports the idea, but plans to create CECOT prisons as a method to end gang violence in El Salvador.

Honduras

Honduras has created its own state of emergency, declared in December 2022, being strongly inspired by El Salvador's methods. President Xiomara Castro described it as a "war on extortion" aiming to end gangs such as MS-13 and Barrio 18 that operate across Central American nations by expanding security forces. Honduran authorities are proposing legal reforms to label gang members as "terrorists" and prosecute them in collective trials, similar to El Salvador. The government is also planning a "Megaprison" with capacity of 20,000 prisoners. Honduras views Bukele's state of emergency as something they should apply in its own country. It believes that by copying this strategy, they too can end gang

violence and improve security. However, Honduran criminologists and civil society warn against naïvely copying Bukele's method. Criminologists argue that Honduras is copying the repressive part of the Bukele state of emergency without addressing root causes like poverty, inequality, and weak institutions. Not just that, but a prolonged state of emergency risks concentrating executive power and weakening democratic controls. Honduran experts worry about a "spillover effect" that Bukele's methods may be driving gang members from El Salvador into neighbouring countries. Therefore, Honduras is in favour of Bukele's state of emergency and even created its own status of emergency inspired by El Salvador, however many citizens and experts worry about its poor execution.

TIMELINE OF EVENTS

Date	Description
2022 - March 27	It was on this day that a state of emergency was declared by the Legislative Assembly of El Salvador, at President Nayib Bukele's request, following a spike in homicides. These crimes were alleged to be the result of gang violence. As a consequence of this announcement, several vital constitutional guarantees were freed from the protection of the law such as the right to freedom of assembly, some aspects of privacy, and certain due-process rights such as the requirement to present a detained person to a judge in 72 hours. This time was a turning point because it set up the legal basis for a substantial security crackdown that lasted for a long time. With the government formally suspending rights, it obtained almost unrestricted power to make arrests in large numbers, a step that, as a consequence, provoked the immediate reaction of human rights defenders who expressed their concern.
2022 - April 24	Approximately a month after the declaration of the emergency situation, the Legislative Assembly gave the green light for a 30-day extension of the state of emergency, reinforcing concerns about the normalization of exceptional powers.. This was a clear indication that the government considered the emergency measures not as a temporary solution but as a long-term solution to tackle the gangs. Nevertheless, to human rights defenders, this prolongation was an indication that the very first dangers of arbitrary detentions and rights violations had not been reduced, but had been institutionalized. There were

	numerous reports of arrests being made in large numbers without warrants or clear charges. The extension was a sign that the security strategy would not only use force but also reduce legal protections which would pave the way for systematic abuses.
2022 - March - November	During these months, the security forces undertook hundreds of raids, particularly, in low-income and marginalized neighbourhoods. Human Rights Watch and Cristosal reported that the number of people arrested was over 58,000 with more than 1,600 children among them, many of whom had little or no gang affiliation. Thousands were kept incommunicado, thus, they were frequently without the timely access to lawyers, and the number of prisoners increased to almost 95,000 which was far beyond the maximum capacity. This period was especially important because it showed how the emergency regime was employed, not only as a police operation but also as a mass incarceration policy. The size and the targeting of these operations that the crackdown had most severely affected the disadvantaged communities.
2022 - December - Soyapango Blockade	From December 3 to December 31 2022, the Salvadorian government carried out a massive operation in Soyapango where they deployed around 10,000 soldiers and police officers to close off the city and arrest gang members. The “blockade” was not only a display of power but also a symbolic move to a higher level as Bukele's regime showed that it was able to isolate entire municipalities and comb them in search of supposed criminal elements. According to public reports, more than 1, 300 people were arrested. This moment illustrated the extent to

	which the emergency powers were not only legal instruments but also means of territorial control, which had a profound effect on the state's way of engaging with the so-called "gang-affected neighborhoods."
2023 - March	A year after the emergency situation was declared, OHCHR made a public announcement with a level of urgency that was unheard of. It denounced the "mass detentions, ill treatment in custody, denial of access to lawyers, deaths in detention centers, and allegations of torture. By referring to the situation as a “human rights crisis, ” the UN made it clear that the infringements were not only that the violations were deeply entrenched in the system. This moment was a turning point: the human rights organization was no longer watching from the sidelines, but rather demanding that the authorities be held accountable and that the procedural guarantees be respected. The warning forced international pressure on Bukele’s government to be raised to another level, which made it difficult for the president to continue with his security strategy without revealing its side effects to the public.
2023 - May	Three UN Special Rapporteurs, on judicial independence, extrajudicial executions, and counter-terrorism, acting in a concerted manner, released a joint statement opposing El Salvador’s repeated renewals of the state of emergency. They pointed out that the dismantling of the judiciary, the large number of people detained in situations that are vaguely described, among other things, were causing the creation of a situation in which human rights could be violated without anyone being held accountable. Their return emphasized the

	structural danger: not only were rights being violated today, but the structures that were supposed to be the power of the people were being weakened, thereby raising concerns about the rule of law and the accountability of the government in the long run.
2023 - 2024 - HRC Dialogues	Throughout the time, the case of El Salvador was brought up numerous times by the UN Human Rights Council in interactive dialogues. Although the Council refrained from initiating a formal investigation, various countries and United Nations experts voiced their apprehensions regarding the infringement of rights on due-process, overcrowding in prisons, and the detention of children. The frequent references of the situation in El Salvador at the Human Rights Council in Geneva without any official resolution exerted diplomatic pressure. It indicated that while some governments were endorsing Bukele's narrative of the fight against crime, a considerable number of the international community were skeptical and the continuation of the state of emergency without proper checks and balances could eventually lead to the violation of the global standards of human rights.
2024	OHCHR and other UN mechanisms kept requesting access to Salvadoran detention facilities throughout the year. They especially wanted to see the huge new "megaprison" which was built under the emergency regime. It is said that the most inhuman places were those where incommunicado detention, solitary confinement, and insufficient medical care were carried out. Although visits were not allowed, the repeated calls kept these prisons under the eyes of the world. It was crucial to keep this spotlight on them: on the one hand, it prevented the most

	terrible abuses from disappearing into the dark and, on the other hand, it forced the government to at least recognize that there were already some conditions although they would have remained hidden otherwise.
Late 2024 - Over 1000 days of crackdown	At the end of 2024, Amnesty International released a voluminous report that labeled the record of over 1, 000 days of the state of emergency. According to the report, the figure of people detained crossed 83, 000 and in many cases, these detentions followed anonymous tips, physical profiling (for example, by the use of tattoos), or living in areas labeled as slums but considered as the most dangerous. It said that the regime of emergency had turned into a policy of the normal rather than an exceptional measure, as there had been 33 consecutive renewals. The report detailed how the disappearance of the rights to a fair trial due to the increase of mass trials and the use of detention quotas was the method that was employed most often. This landmark unveiled the extent to which the emergency logic had been deeply entrenched in El Salvador's security policy: what was initially a response to a spike had become a structural feature of governance.

DEFINITION OF KEY TERMS

State of emergency

A state of emergency is a government declaration stating that normal working political and social life are suspended in the given jurisdiction. A state of emergency may alter government operations, order specific action by individuals, and suspend regular civil rights.

Human Rights

Human Rights are essential rights to all human beings, regardless of race, sex, nationality, ethnicity, religion, etc.

Human Rights Violations

A Human Right Violation is an action, or policies, that go against important rights and freedoms guaranteed to humans under international law.

Judicial Independence

Judicial Independence is the principle that courts and judges must work free from external pressures, especially from the executive branch, in ensuring justice.

Civil Liberties

Civil Liberties are the basic freedoms that allow you to live, speak, think, and act without unfair interference from the government, unless there's a clear and lawful reason to limit them.

Due Process

Due Process is the legal requirement that the state must respect all legal rights owed to a person.

Special Rapporteurs

Special Rapporteurs are independent experts who are responsible for monitoring specific human rights situations. This monitoring system was established by the United Nations commission on Human Rights and took over by the Human Rights Council within the Special Procedures mechanism.

Arbitrary Detention

Arbitrary Detention is the arrest and detention of an individual in a case in which there is no evidence that they committed a crime against legal statute, or in which there has been no proper due process of law or order.

Extrajudicial Measures

Extrajudicial Measures are non-court responses to youth crime. The aim of extrajudicial measures is to hold youth accountable for crime without going through the formal court process.

OHCHR

The OHCHR is the United Nations office that works worldwide to promote and protect human rights monitoring abuses, advising governments, strengthening legal framework, and supporting people whose rights are at risk.

GUIDING QUESTIONS

- To what extent does your delegation support El Salvador's state of emergency to fight gang violence?
- How should your delegation balance public safety with the protection of human rights?
- What measures should be taken to ensure inmates have human rights?
- Does your delegation believe that international interference is necessary?
- How might your delegation handle concerns about potential spillover effects, such as gang members moving into neighbouring countries?
- What is your delegation's stance on the use of mega-prisons and mass detentions as a long-term solution to organized crime?

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