

El Salvador: Authoritarian Actions and U.S. Response

Updated December 3, 2021

On November 22, 2021, then-U.S. Chargé d'Affaires Jean Manes [announced](#) a “pause” in efforts to repair U.S.-Salvadoran relations, due to the Salvadoran government’s “lack of interest.” Manes then left her post, after months of trying to encourage President Nayib Bukele to address U.S. and international concerns about democratic backsliding. Such concerns have increased since May 2021, as Bukele and his legislative allies have [exerted influence](#) over the country’s supreme court and office of the attorney general, [interfered](#) in anti-corruption efforts, and [attacked](#) civil society and the press. The rapid erosion of El Salvador’s democratic institutions has raised concerns among some Members of Congress, and it may influence congressional decisions regarding the amount and types of U.S. foreign assistance provided to the country.

Democratic Backsliding

On June 1, 2019, Bukele, a businessperson and former mayor of San Salvador, took office for a five-year presidential term after winning a [first-round victory](#) as an outsider standing for the Grand Alliance for National Unity (GANU) party. His New Ideas party was not yet eligible to field candidates. Born in 1981, Bukele is the first president to come of age politically after the 1980-1992 civil conflict and the first presidential candidate in 30 years to win without support from the conservative National Republican Alliance (ARENA) party or the leftist Farabundo Martí National Liberation Front (FMLN) party.

Bukele has governed as a populist, [using social media](#) to communicate with supporters, announce policies, purge officials, and attack opponents. Through 2020, Bukele battled with the legislature and the supreme court over funds for his security plan and his aggressive enforcement of a Coronavirus Disease 2019 (COVID-19) pandemic quarantine. In February 2020, Bukele [ordered the military](#) to surround the unicameral National Assembly in an effort to intimidate legislators into approving an anti-crime bill. He [ignored](#) supreme court rulings to respect constitutional rights and legislative decisions during the pandemic. Although Bukele remained popular, critics warned about his authoritarian tendencies and possible [ties to organized crime](#). In February 2021, New Ideas and its allies [won a supermajority](#) (56 of 84 seats) in parliamentary elections.

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IN11658

Removing Checks on Presidential Power

On May 1, 2021, shortly after the new National Assembly took office, New Ideas deputies presented charges against and [dismissed](#) five magistrates from the supreme court's constitutional chamber for inhibiting the government's pandemic response. Legislators then dismissed the attorney general for having ties to ARENA; he had been investigating [corruption](#) in Bukele's Cabinet and [Bukele-gang negotiations](#). Both moves were broadly viewed as [unconstitutional](#). In a further blow to judicial independence, the legislature enacted a [judicial reform](#) that mandated retirement for all judges over the age of 60, including the judge who had presided over the emblematic trial of military officials involved in the civil war-era [El Mozote massacre](#). In September, the newly installed constitutional chamber magistrates [ruled](#) that Bukele could run for another term despite constitutional prohibitions on reelection.

Bukele, the legislature, and the new attorney general (who [reportedly](#) worked for a [U.S.-sanctioned subsidiary](#) of Venezuela's state oil company) have shut down investigations into corruption in the Bukele government while [arresting government opponents](#) on related charges. Bukele [ended](#) cooperation with an Organization of American States-supported anti-corruption commission. The National Assembly passed a law granting [immunity from prosecution](#) to anyone involved in pandemic spending while creating a commission to investigate corruption in past governments. The legislature also enacted a Bukele-backed initiative to [adopt bitcoin](#) as a form of legal tender, which the International Monetary Fund (IMF) has [warned](#) may be [vulnerable to money laundering](#). The currency's entry into force prompted [rare protests](#) and could endanger IMF approval of a roughly \$1.4 billion loan for El Salvador.

At the same time, the Salvadoran government has taken steps to close civic space in the country. Bukele officials have [deported foreign journalists](#), [harassed human rights activists and civil society groups](#), and proposed a law that would require foreign-funded individuals and organizations to register as foreign agents. If enacted, the measure could [severely restrict](#) such organizations' funding and activities.

U.S. Policy

The Biden Administration has made [combating corruption](#) a key part of its [strategy](#) to address the root causes of migration from Central America. In May 2021, the State Department [declassified](#), pursuant to P.L. 116-260, a report to Congress on corrupt Northern Triangle officials that listed five current and former Salvadoran politicians. In July, the State Department [released](#) a list of officials subject to visa restrictions for corruption or undemocratic actions pursuant to Section 353 of P.L. 116-260; it included 14 Salvadoran officials, including Bukele's Cabinet chief, legal adviser, and labor minister. In September, the State Department [added](#) El Salvador's five constitutional chamber magistrates to the Section 353 sanctions list.

The Administration also has expressed concerns about the erosion of democratic institutions in El Salvador. On May 2, Secretary of State Antony Blinken [called](#) President Bukele to express concern about the dismissals of the country's magistrates and attorney general. U.S. Agency for International Development [Administrator Samantha Power reprogramed](#) foreign aid from supporting government agencies to bolstering civil society and [reiterated](#) U.S. concerns about the rule of law during a June visit.

Many in Congress are monitoring events in El Salvador and U.S. policy responses. On May 19, the House Foreign Affairs Committee reported H.Res. 408, urging the Salvadoran government to respect the country's democratic institutions. Congress also is assessing the Biden Administration's \$860.6 million FY2022 request for assistance to Central America, which includes at least \$95.8 million for El Salvador. The House-passed version of the FY2022 State and Foreign Operations appropriations measure (H.R. 4373) would provide \$860.6 million in assistance for Central America, and the Senate Appropriations Committee's version of the measure, S. 3075, would provide at least \$70.8 million for El Salvador. Both measures would prohibit Foreign Military Financing for El Salvador and would withhold some assistance for the central government until the State Department certifies the Salvadoran government is meeting a

series of conditions, including respecting the independence of the judiciary and protecting the rights of civil society and the press.

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