

14 June 2016

El Salvador - Intimidation and surveillance of human rights defenders Pedro José Cruz and Bertha de León

On 8 June 2016, human rights defenders Mr **Pedro José Cruz** and Ms **Bertha de León** were monitored and followed by unidentified men outside the Criminal Court in San Salvador, where they are representing clients in several corruption cases against businessman Mr Enrique Rais López. On the same day, Enrique Rais López's lawyer sued Pedro José Cruz and Bertha de León for defamation. On 2 June 2016, the human rights defenders were meeting with a journalist, when they realised they were being followed and their conversation was being recorded by an unidentified individual. These events are the latest on a series of acts of intimidation and harassment against the lawyers.

Pedro José Cruz is a human rights lawyer and President of the **Salvadoran Association for Human Rights** (*Asociación Salvadoreña por los Derechos Humanos - ASDEHU*), an organisation that provides legal accompaniment to victims of human rights violations. [Bertha de León](#) is a human rights lawyer who, until March this year, worked for the Research Foundation for the Application of the Law (*Fundación de Estudios para la Aplicación del Derecho Fundación – FESPAD*). [FESPAD](#) is a Salvadoran non-governmental organisation that works for the protection and promotion of human rights through the provision of legal support. Bertha de León has been involved in several high profile cases, including a criminal suit for embezzlement, illicit enrichment and disobedience against former President of El Salvador Francisco Guillermo Flores Pérez.

On 8 June 2016, Pedro José Cruz and Bertha de León were at the Criminal Court in San Salvador when they realised they were being monitored and followed by unknown men. The human rights defenders waited several hours and roamed the courthouse building in order to lose and deter the men. Each day that week, public hearings were scheduled at which businessman Enrique Rais Lopez was expected to testify. The human rights defenders are representing clients in the criminal case against Enrique Rais Lopez. On the same day, Enrique Rais López's lawyer, Mr Luis Peña, filed a suit for defamation against Pedro José Cruz and Bertha de León. The human rights defenders asked for a judge to recuse himself in a case against Enrique Rais López where Luis Peña was the opposing council, as the judge and Luis Peña had worked together in the past. The motion was successful and the judge recused himself. Luis Peña is now suggesting that asking the judge to recuse himself is an act of defamation against him personally. The defamation proceedings are an abuse of the judicial system and target the human rights defenders and will involve them in a legal case that will cost them time, effort and resources.

On 2 June 2016, during a meeting with a journalist, the human rights defenders noticed they had been followed and their conversation was being recorded by an unknown man sitting close to them. Pedro José Cruz and Bertha de León also believe the individual was attempting to gain access to their mobile phones and computers through bluetooth.

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The human rights lawyers represent the couple Mario Calderón and Claudia Herrera in several corruption suits against businessman Enrique Rais López. The couple's previous lawyer, René Medrano, ultimately resigned after being judicially harassed, detained for three days and having his office ransacked at night by unknown men in 2015. Medrano has left the country with his family as a result of the threats.

Front Line Defenders is gravely concerned by the acts of intimidation and surveillance against human rights defenders Pedro José Cruz and Bertha de León who have taken up the defence of ordinary Salvadorans denouncing corruption.

Front Line Defenders urges the authorities in El Salvador to:

1. Carry out an immediate, thorough and impartial investigation into the intimidatory acts against Pedro José Cruz and Bertha de León, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
2. Take all necessary measures to guarantee the physical and psychological integrity and security of Pedro José Cruz and Bertha de León;
3. Guarantee in all circumstances that all human rights defenders in El Salvador are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.

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