

Usurping powers of the National Assembly attempts against Salvadorans

The Salvadoran Government has jeopardized the integrity of our constitutional order by illegally extending the National State of Emergency Law, which expired at midnight on May 16, 2020, for 30 additional days, without the Legislative Assembly's approval.

This action taken by the Executive Branch, has usurped the power that corresponds to the Legislative Assembly, despite the fact that the President of the Legislative Branch had already called for a plenary session to be held on Monday, May 18, 2020, in order to receive information from the Executive Branch and seek agreements on the extension of the State of Emergency Law and economic recovery measures.

In accordance with the above, we state:

1. The Executive Branch cannot argue the impossibility of the representatives to meet in a plenary session, since this had already been summoned and they have been working on a regular basis. Therefore, it is a break of the constitutional order and a violation of the principle of separation of powers, pillar of our democratic order.
2. The actions against the constitutional order generate legal uncertainty and political instability that damage the country's credibility, thus minimizing the possibilities for the nation to respond effectively to protect the health, economy and well-being of the population.
3. Given the lack of an emergency plan and a detailed information system on the destination and use of the available public resources mobilized to face the coronavirus crisis, we are extremely concerned that an illegal extension of the National Emergency Law by an Executive Decree will facilitate purchases and acquisitions of goods and services, avoiding the legal procedures established in the public procurement law.

FUSADES expresses its solidarity with Salvadorans during the emergency the country is experiencing because of the pandemic and reiterates that the fight against COVID- 19 is not incompatible with the rule of law and respect for our democratic values. The Government must guarantee that all its actions are within our constitutional order and must respect the separation of powers.

May 17th, 2020