



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the sixth periodic report of El Salvador*

A. General information

1. Please indicate what measures the State party has taken to ensure that the abolition of the Technical and Planning Secretariat of the Office of the President, the Secretariat for Social Inclusion and the Secretariat for Vulnerability Issues does not have a negative impact on the enjoyment of economic, social and cultural rights. Please also indicate how the State party ensures the effective implementation of the Act on Social Development and Protection.
2. Please provide information on the measures taken to prevent and punish harassment and threats against defenders of economic, social and cultural rights, and to guarantee the independence of judges and courts, especially the Constitutional Chamber of the Supreme Court.
3. Please provide information on the National Climate Change Plan and the National Climate Change Strategy, especially regarding measures to mitigate the adverse effects of climate change on the enjoyment of economic, social and cultural rights, in particular for the most vulnerable in society.
4. Please provide information on the impact of the Act on the Temporary Restriction of Specific Constitutional Rights in Response to the COVID-19 Pandemic on the enjoyment of economic, social and cultural rights.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Right to freely dispose of natural wealth and resources (art. 1 (2))

5. Please provide information on the degree of implementation and the results of the National Action Plan for Indigenous Peoples, particularly in respect of the creation of a national mechanism for free, prior and informed consultation, and in respect of the recognition of traditional territories and the granting of collective titles. Please provide information on the progress made by the State party in acceding to the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization.

Maximum available resources (art. 2 (1))

6. Please provide information on trends over the past 10 years in:
 - (a) The proportion of persons living below the poverty line and the level of inequality, defined as the ratio of the total income of the wealthiest 10 per cent of the population to the total income of the poorest 40 per cent of the population;

* Adopted by the pre-sessional working group at its sixty-seventh session (19–23 October 2020).



- (b) The proportion of public revenue that is generated through taxes;
- (c) The rates of tax levied on corporate profits and personal incomes, the value added tax rate (exclusive of value added tax on luxury items, tobacco, alcohol, sugary drinks and snacks, and gasoline), and the percentage of total revenue that is generated from personal income taxes collected from the wealthiest 10 per cent of the population;
- (d) Public expenditure as a percentage of gross domestic product and, within total public expenditure, the proportion of the public budget that is allocated to social spending (social security, food, water and sanitation, housing, health and education);
- (e) Absolute levels of social spending, adjusted for inflation;
- (f) Fiscal policy measures taken to address the coronavirus disease (COVID-19) pandemic.

7. Please provide information on the steps taken to ensure that the abolition of the Secretariat for Citizen Participation, Transparency and Anti-Corruption does not have a negative impact on access to information, transparency in administration or the effectiveness of the fight against corruption.

Non-discrimination (art. 2 (2))

8. Please provide statistics on the impact of the Act on Equal Opportunities for Persons with Disabilities and the training programmes implemented by the Salvadoran Institute for the Rehabilitation of Persons with Disabilities to integrate those persons into the labour market. Please also describe the progress that has been made in enacting the law on the inclusion of persons with disabilities.

9. Please indicate what measures the State party has taken to ensure that the abolition of the Directorate for Sexual Diversity does not have a negative impact on the monitoring and effective implementation of Executive Decree No. 56 on the elimination of all forms of discrimination in the civil service on the grounds of gender identity or sexual orientation.

Equal rights of men and women (art. 3)

10. Please provide information on the results of the strategies to combat gender stereotypes and raise awareness among men and women of the right to equality in the workplace mentioned in the State party's report (E/C.12/SLV/6). Please also provide information on the impact of plans and policies to promote the equal representation of women in public decision-making positions, particularly at the community level.

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

11. Please provide updated statistics on trends over the past five years in the rates of formal and informal employment, disaggregated by sex, age and rural/urban area. Please provide information on the measures that the State party has taken to increase formal employment opportunities and on the impact of such measures. Please indicate what steps the State party has taken to ensure that informal sector workers benefit from social protection and to protect their jobs and income during the COVID-19 pandemic.

Right to just and favourable conditions of work (art. 7)

12. Please indicate what measures the State party envisages taking to bring minimum wages into line with the cost of living. Please indicate what measures have been taken to combat labour exploitation, particularly in sectors such as the maquila industry, private security and domestic labour. Please also provide statistics on prosecutions in cases involving labour exploitation and forced labour.

Trade union rights (art. 8)

13. Please provide information on the measures taken by the State party to ensure that all workers, particularly public sector workers, can exercise their right to strike. Please also provide detailed and disaggregated statistics on strikes that have been ruled illegal, specifying, inter alia, the period in question and the specific grounds for those rulings. Please explain the criteria used by the Ministry of Labour to grant or deny legal personality to trade unions. Please also provide information on the complaint lodged by the Union of Workers of the Salvadoran Social Security Institute regarding the events of April 2019, when the Union's elected executive board was removed from office and a new board was registered by the Ministry of Labour.

Right to social security (art. 9)

14. Please provide information, disaggregated by sex, age and rural/urban area, on the results of the universal basic pension and basic solidarity pension system, including detailed statistical data on coverage. Please provide information on the State party's mechanisms for ensuring social security coverage that includes adequate benefits for workers in the agricultural and domestic sectors. Please also provide information on the measures taken by the State party to increase, in a sustained and sustainable manner, the percentage of the economically active population covered by the contributory social security system.

Protection of the family and children (art. 10)

15. Please provide updated information on the impact of measures taken to combat child labour, particularly efforts to amend existing legislation, which does not criminalize it. Please also report on specific measures taken to prevent the economic and social exploitation of street children, and their results.

16. Please provide statistics for the last five years on cases of violence against women, disaggregated by year, type of violence, age of victim and status of legal proceedings.

Right to an adequate standard of living (art. 11)

17. Please provide information on the degree of implementation and the results of the Poverty Eradication Strategy of 2017, its component programmes and other programmes to combat poverty and extreme poverty, including disaggregated statistical information, particularly on the situation of indigenous peoples. Please outline the measures taken to prevent the crisis caused by the COVID-19 pandemic from increasing poverty, especially among people in vulnerable groups. In particular, please describe the cash transfer programmes, if any, that have been implemented in response to the crisis so as to ensure an adequate standard of living for people who have seen a reduction in their income.

18. Please provide information on the progress made in adopting legislation on forced evictions that complies with international standards. Please provide statistics, disaggregated by year and rural/urban area, on the number of forced evictions carried out in the last five years. Please also provide statistics, for the same period, on the number of homeless persons.

19. Please provide information on the measures taken to provide water and sanitation services to all existing dwellings, particularly those in rural and border areas. Please provide information on the progress made in implementing the National Drinking Water and Sanitation Plan. Please provide information on the progress made in reforming the Salvadoran legal system to guarantee the right to water, particularly the amendment of article 69 of the Constitution to make explicit reference to the human rights to water and sanitation. Please also report on the political, technical and diplomatic measures that have been taken to improve the governance of water resources shared with neighbouring countries so as to ensure the enjoyment of the economic, social and cultural rights related to water.

20. Please provide information on the progress made in reforming the legal system to guarantee the constitutional right to food. Please provide updated statistical information, disaggregated by rural/urban area, on child malnutrition rates for the last five years. Please provide information on the impact of the plans and policies to reduce child malnutrition rates that are mentioned in the State party's report.

Right to physical and mental health (art. 12)

21. Please provide information on the measures taken to ensure universal and non-discriminatory access to health services in the context of the COVID-19 pandemic, and their results. Please provide information, disaggregated by household income decile, on health indicators such as child and maternal mortality and life expectancy.

22. In relation to the right to sexual and reproductive health, please provide the following:

(a) Information on the progress made in implementing the Policy on Sexual and Reproductive Health and on the impact of this policy on public awareness;

(b) Information on the progress made in implementing the National Cross-sectoral Strategy for the Prevention of Child and Adolescent Pregnancy 2017–2027, particularly regarding specific measures to combat “the reproduction of sociocultural patterns that promote girls’ and adolescent girls’ subordination to male power”, which is “at the root of pregnancy in girls and adolescent girls” (page 20). Please also provide information on the tangible outcomes of the Strategy and its impact on the reduction of child and adolescent pregnancy, compared with the figures for the period prior to its implementation mentioned in the State party’s report;

(c) Information on the practical steps that the State party is taking to bring its current legal framework in respect of the total prohibition of abortion into line with international human rights standards, in accordance with the Committee’s previous concluding observations (E/C.12/SLV/CO/3-5) and the repeated recommendations of other international bodies. Please also provide information on the measures taken by the State party to suspend the criminalization of women for so-called abortion-related offences and to prevent the serious consequences that it has for their physical and mental health;

(d) Information on specific measures taken by the State party to reduce maternal morbidity and mortality rates associated with unsafe abortions.

23. Please provide detailed statistical information, disaggregated by sex, age and rural/urban area, on the number of drug users in the country. Please also provide information on the public health policies that the State party has implemented to mitigate and reduce the harm caused by drug use and to evaluate the effectiveness, efficiency and impact of existing prevention and treatment services, including the resources allocated for their implementation.

Right to education (arts. 13–14)

24. Please provide information on the impact of teacher training activities on the quality of education. Please provide detailed statistical information on the number of teachers, where they work (rural/urban area), the type of training activities in which they have participated and the period covered. Please provide statistics showing trends in average teacher salaries in rural/urban areas and the measures taken to improve teacher salaries. Please provide information on investment in educational infrastructure, disaggregated by rural/urban area.

25. Please provide information on the impact of the measures taken by the State party to prevent children from dropping out of school and especially to combat the root causes of the problem, bearing in mind that the percentage of children entering the first grade of primary school who reach the last grade decreased by four percentage points between 2014 and 2016 and, in particular, the context of the COVID-19 pandemic. Please provide statistics on access to and retention in education, differentiated by household income level. Please also report on the State party’s efforts to ensure that measures taken in response to the COVID-19 pandemic do not create inequalities in access to education, especially distance education. Please also provide information on measures taken to ensure that indigenous persons have access to intercultural education in their own languages and, in particular, on the impact of such measures.

Cultural rights (art. 15)

26. Please report on the measures that have been taken to ensure that government policies and programmes are based on the best available scientific knowledge. Please explain how scientific information based on scientific consensus is promoted and misinformation is

prevented in the context of the COVID-19 pandemic. Please also provide information on how the State party fosters and participates in international scientific cooperation in relation to the COVID-19 pandemic.

27. Please provide information on the measures that have been taken to allocate the necessary resources to scientific research into chronic kidney disease of non-traditional causes, which particularly affects agricultural workers in the sugar cane sector and their families, and whose incidence rate in El Salvador is one of the highest in the region.
