



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Concluding observations on the combined eighth and ninth  
periodic reports of El Salvador**

Addendum

**Information provided by El Salvador in follow-up to the  
concluding observations\***

[Date received: 26 March 2019]

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\* The present document is being issued without formal editing.



## Introduction

1. El Salvador presents the following report in response to the concluding observations on the combined eighth and ninth periodic reports of El Salvador (CEDAW/C/SLV/CO/8-9, issued in March 2017) adopted by the Committee on the Elimination of Discrimination against Women at its sixty-sixth session.

## Follow-up to concluding observations

2. In its concluding observations, the Committee requested the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 13 (a) and (b) and 17 (a) and (c) of those observations.

**Recommendation 13 (women’s access to justice): The Committee recommends that the State party, in line with general recommendation No. 33 (2015) on women’s access to justice: (a) allocate adequate human, technical and financial resources to enable the effective operation of the newly created special jurisdiction for crimes against women.**

*Specialized courts for a life free from violence and discrimination against women*

3. As reported to the Committee in February 2016, the Legislative Assembly adopted Decree No. 286,<sup>1</sup> which established specialized courts for a life free from violence and discrimination against women, with competence to hear cases involving the offences established in the Special Comprehensive Act on a Violence-Free Life for Women; complaints and reports based on the Domestic Violence Act; monitoring and oversight of precautionary and protection measures established in the Special Comprehensive Act on a Violence-Free Life for Women and the Equality, Equity and Eradication of Discrimination against Women Act; labour discrimination cases; and violations of the right to equality. The courts began operations in June 2017 in San Salvador, and in January 2018 in San Miguel and Santa Ana, with an initial budget of \$1.6 million.

Table 1  
**Specialized courts for a life free from violence and discrimination against women**

<i>Location</i>	<i>Type of court</i>	<i>Number</i>
San Salvador	Court of investigation	1
	Sentencing court	1
	Chamber	1
Santa Ana	Court of investigation	1
	Sentencing court	1
San Miguel	Court of investigation	1
	Sentencing court	1
<b>Total</b>		<b>7</b>

Source: Supreme Court of Justice.

<sup>1</sup> Legislative Assembly of El Salvador. Legislative Decree No. 286 of 25 February 2016. Available at [www.asamblea.gob.sv/decretos/details/2709](http://www.asamblea.gob.sv/decretos/details/2709).

**In accordance with recommendation 13 (a), human, technical and financial resources for the operation of the specialized courts have been allocated as set out in table 2 below.**

Table 2  
**Personnel assigned to the specialized courts, 2017**

<i>Functional title</i>	<i>Sex</i>		<i>Vacant</i>	<i>Total</i>
	<i>Female</i>	<i>Male</i>		
Chamber judge I	2	0	0	2
Chamber secretary I	1	0	0	1
Court assistant A-I	4	0	0	4
Chief clerk A-I	0	1	0	1
Messenger A-I	0	1	0	1
Trial judge I	2	0	0	2
Trial secretary I	2	0	0	2
Court assistant B-I	5	2	0	7
Process server B-I	0	2	0	2
Messenger B-I	1	1	0	2
Trial judge II	3	1	0	4
Trial secretary II	3	1	0	4
Court assistant B-II	9	3	0	12
Process server B-II	0	4	0	4
Messenger B-II	0	3	1	4
<b>Total</b>	<b>32</b>	<b>19</b>	<b>1</b>	<b>52</b>

*Source:* Supreme Court of Justice, 2018.

4. The State party reports that the Supreme Court of Justice conducted 12 training courses in 2017 and 17 courses in 2018 for staff members of the specialized courts. The subjects covered included strengthening areas of competence related to the framework of the special legislation, full reparation to women who have been victims of violence and discrimination, criminal law for the specialized jurisdiction, and analysis and interpretation of medical-legal expert appraisals on sexual offences, domestic violence and femicide (see annex 1).

5. In addition, in coordination with the Salvadoran Institute for the Advancement of Women and as part of the selection process for applicants for positions in the specialized jurisdiction, the Supreme Court in 2016 offered a preparatory course for 92 applicants for legal positions (71 women and 21 men) and 133 applicants for the multidisciplinary teams (118 women and 15 men).

6. The specialized courts have a multidisciplinary team that provides support for the undertaking of training in the various areas required by the tribunals (see table 3 below).

Table 3  
**Staff assigned to multidisciplinary teams of the specialized courts, 2017**

Specialty	Sex		Total
	Female	Male	
Psychology	6	0	6
Social work	4	1	5
Education	0	1	1
Driving	0	1	1
<b>Total</b>			<b>13</b>

Source: Supreme Court of Justice, 2018.

7. The Government reports that the Supreme Court of Justice is currently preparing a skills manual for the multidisciplinary team, along with client-service procedures, which will contain all the elements necessary to guarantee the provision of quality, specialized, prioritized, attentive and empathetic care, on a secular basis.

8. Part of the work of the multidisciplinary team is the preparation of various types of reports on social, psychological, psychosocial and educational topics, at the request of the investigating judge and the sentencing judge. The target audience and/or beneficiaries of these reports are the women who use the specialized jurisdiction, their families, defendants and respondents. To date, 336 reports have been written, on social topics (156 reports), psychological topics (7 reports), psychosocial topics (169) and psychosocial/educational (4 reports).

9. The Supreme Court of Justice has also created a database containing the addresses, telephone numbers and information about public and private programmes and institutions that offer psychotherapy and legal education and help with strengthening support networks. The specialized investigative judge can use this information to make referrals for users, their families, defendants and respondents. The specialized jurisdiction has handled 1,760 cases through the specialized courts of investigation<sup>2</sup> and 64 cases through the sentencing courts,<sup>3</sup> while the Special Chamber has handled 38 cases<sup>4</sup> (see annex 2).

**Pursuant to recommendation 13 (b): Reinforce the capacities of the national civil police, the Office of the Counsel General and the Institute of Forensic Medicine for the application of protocols and the monitoring of their implementation.**

*Specialized institutional support units for women facing violence*

10. In 2016, the Salvadoran Institute for the Advancement of Women, as the body responsible for public policy on women, instituted the National Care System, an inter-agency mechanism for managing and coordinating the provision of

<sup>2</sup> Supreme Court of Justice, data as at December 2018. *Boletín Informativo* # 1, January 2019. Available from [www.csj.gob.sv/Comunicaciones/2019/ENERO/BOLETINES/30.01.2019%20Boletín%20Jurisdicción%20Especializada%20para%20una%20Vida%20Libre%20de%20Violencia%20y%20Discriminación%20para%20las%20Mujeres%20\(1\).pdf](http://www.csj.gob.sv/Comunicaciones/2019/ENERO/BOLETINES/30.01.2019%20Boletín%20Jurisdicción%20Especializada%20para%20una%20Vida%20Libre%20de%20Violencia%20y%20Discriminación%20para%20las%20Mujeres%20(1).pdf).

<sup>3</sup> Data from January 2017 to October 2018 provided by the Supreme Court of Justice on 11 October 2018.

<sup>4</sup> Supreme Court of Justice. Data as at June 2018. *Boletín Informativo* # 3, June 2018. Available from [http://www.csj.gob.sv/Comunicaciones/2018/07\\_JULIO/BOLETINES/060718%20Boletín%2003%20Juridicci%C3%B3n%20Especializada%20para%20una%20Vida%20Libre%20de%20Violencia%20y%20Discriminaci%C3%B3n%20para%20las%20Mujeres.pdf](http://www.csj.gob.sv/Comunicaciones/2018/07_JULIO/BOLETINES/060718%20Boletín%2003%20Juridicci%C3%B3n%20Especializada%20para%20una%20Vida%20Libre%20de%20Violencia%20y%20Discriminaci%C3%B3n%20para%20las%20Mujeres.pdf).

comprehensive and specialized care for women facing gender-based violence. The National Care System includes institutions responsible for providing specialized care in accordance with the Special Comprehensive Act on a Violence-Free Life for Women. Its objectives are: (a) to provide comprehensive and specialized services to women to cater to, protect and restore rights that have been violated; (b) to strengthen institutional capacity to respond to all cases of violence against women; and (c) to ensure the effective provision of precautionary measures on behalf of victims.

11. Article 25 of the Special Comprehensive Act provides for the establishment of specialized institutional support units in the following institutions and their corresponding departmental delegations: the Supreme Court of Justice, the Attorney General's Office, the Office of the Counsel General of the Republic, the Office of the Human Rights Advocate, the National Civil Police, the Institute of Forensic Medicine and the Ministry of Health.

12. Since the entry into force of the Special Comprehensive Act, the availability of care services for women has increased steadily at the national level. As at June 2018, there were 101 specialized institutional support units for the investigation of crimes of violence against women providing coverage in the country's 14 departments (see annex 3). Each of the institutions responsible for providing care has developed technical tools that guide the work of these specialized units, as outlined in paragraph 13 below.

13. Attorney General's Office:

- Protocol for investigating femicide
- User guide for the Gesell chamber
- Protocol for legal and psychosocial care for persons facing violence, with an emphasis on children, adolescents, women and other vulnerable populations
- Criminal prosecution policy for cases involving violence against women<sup>5</sup>

National Civil Police:

- Investigative standards and procedures manual, volume 3 of 3, pursuant to the Special Comprehensive Act on a Violence-Free Life for Women
- Protocol on approaches to telephone calls for women in situations of gender-based violence
- Protocol for the care of women who have been victims of sexual violence
- Protocol on gender and human rights for differentiated approaches to diversity in the police services of the Division for Victims and Witnesses
- Protocol for care, approaches and police procedure in cases involving girls and female adolescents, adults and older adults who have been victims of sexual violence

Office of the Counsel General of the Republic:

- Protocol for prevention, care, protection and punishment of acts of violence and discrimination against female staff members of the Office of the Counsel General
- Guidelines on the care of women in conflict with the law

<sup>5</sup> Office of the Attorney General of the Republic, criminal prosecution policy for cases involving violence against women. Available from [www.fiscalia.gob.sv/wp-content/uploads/ppp/Politica-de-Persecucion-Penal-2017.pdf](http://www.fiscalia.gob.sv/wp-content/uploads/ppp/Politica-de-Persecucion-Penal-2017.pdf).

- Guidelines on raising awareness of the specialized care units for women among women in rural areas
- Procedures for addressing violence against women
- Procedures for addressing discrimination against women
- Plan for addressing violence against women through memorandums of referral to the Public Criminal Defence Unit
- Inter-agency and intersectoral coordination document providing a road map for comprehensive, integral care for women, children and adolescents in situations of violence in the northern zone of El Salvador
- Inter-agency coordination document providing a road map for comprehensive, integral care for women, children and adolescents in various situations of violence in the southern zone of El Salvador.

14. The Attorney General's Office has six specialized institutional support units for women at the national level, distributed in public prosecutors' offices in the departments of San Salvador, La Libertad, San Vicente, Santa Ana, Sonsonate and San Miguel. The support units were created by means of a procedures manual that describes the functions of the personnel that make up the units; they are governed by the guidelines contained in the criminal prosecution policy, the protocol for investigating femicide and the protocol for legal and psychosocial care for victims, among others.

15. The support units of the Attorney General's Office are responsible for investigating the 11 crimes set out in the Special Comprehensive Act on a Violence-Free Life for Women and sexual offences against women older than fifteen years of age. To that end, as at October 2018 a total of 43 persons had been assigned to them, of whom 39 are women and 4 are men (see annex 4). The budget for the support units falls under the annual budget of the Attorney General's Office.

16. In 2017, the Attorney General's Office trained personnel assigned to the six support units and the 19 units for children, adolescents and women in their family relations, as well as personnel from the 19 public prosecutor's offices. They participated in training and awareness-raising initiatives through 57 different training programmes. Between January and October 2018, 114 training programmes were organized (see annex 5).

17. In July 2017, the Attorney General's Office created the National Directorate for Women, Children, Adolescents, Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons and Other Vulnerable Groups, composed of a director and four coordinators covering women; children and adolescents; LGBTI persons and other vulnerable groups; and comprehensive care for victims.

18. The general competencies of the four coordinators are to create standardized mechanisms for the investigation of crimes against women, children, adolescents, LGBTI persons and other vulnerable groups at the national level, with a focus on guaranteeing their legal rights; to coordinate and verify with heads of office and the support units the follow-up of cases, in relevant cases and when deemed necessary; to ensure that the necessary mechanisms are used to avoid victimization when providing support and that spaces meet the conditions of privacy and comfort. As at October 2018, the directorate is made up of seven persons, six women and one man (see annex 6). The budget for their operation falls under the annual budget of the Attorney General's Office.

19. The Attorney General's Office reports that in 2017 it organized 35 training programmes for personnel of the National Directorate, and 41 between January and October 2018 (see annex 7).

20. Pursuant to article 56 of the Special Comprehensive Act on a Violence-Free Life for Women, in November 2018, the Attorney General's Office established a criminal prosecution policy on violence against women, with the aim of establishing criteria and guidelines for the criminal prosecution of violence against women to ensure that investigations are conducted and cases are prosecuted effectively and efficiently, with a gender perspective based on intersectionality, and to reduce impunity. The policy must be followed by all personnel at the Attorney General's Office and also by the personnel of the National Civil Police and other institutions that carry out investigative functions, as long as it does not contradict their own regulations.

21. The Attorney General's Office has 15 specialized institutional support units for women, one in each department of the country, and also has a specialized support unit for women located in the municipality of Soyapango. Their competencies include the provision of comprehensive services in hygienic private conditions, with quality care and warmth, prioritizing crisis support; advice and information for women who face violence or discrimination about their rights and measures relating to their protection and safety; advice, assistance and legal representation in the areas of gender-based violence, domestic violence and discrimination against women; legal and psychosocial support in judicial or administrative proceedings; coordination with shelters and support networks; facilitation of self-help groups and training and support; receipt and channelling of complaints made by any person or organization regarding acts of discrimination.

22. The Attorney General's Office reports that, as at the end of 2018, a total of 49 people were assigned to the specialized institutional support units for women, of whom 46 were women and 3 were men (see annex 8). The units have an annual budget of \$1,084,372.00, which is part of the institutional budget. It also reports that in 2017 it carried out 24 training activities for personnel assigned to the support units; between January and October 2018 it carried out 10 (see annex 9).

23. The National Civil Police has 31 specialized institutional support units for women at the national level, which are responsible for receiving complaints of crimes of gender-based violence against women; informing women of their rights, protection measures, emergency services and shelters; coordinating physical and psychological assistance, including the use of retrovirals and emergency contraceptives; supporting women in legal proceedings and providing follow-up on their cases; and ensuring inter-institutional coordination for comprehensive care.

24. The operational framework of the National Civil Police's support units for women includes the profile of the specialized institutional support units for women in situations of violence of the Citizen Reporting and Assistance Bureau; the police guidelines for a specialized approach to violence against women; and the protocol for care, approaches and police procedure in cases involving girls and female adolescents, adults and older adults who have been victims of sexual violence.

25. The National Civil Police reports that, as at the end of 2018, 179 people were assigned to the support units for women, 96 women and 83 men (see annex 10). The budget allocated for 2018 for the operation of the support units for women was \$1,194,464.44, of which \$1,184,464.44 accounted for salaries and \$10,000.00 was set aside for the payment of services and fuel.

26. The National Civil Police has provided the following training courses for staff working for the support units: first advanced course on rights and procedures for women victims of violence, discrimination and gender-related crimes, held in April

2017, attended by 34 support unit officials (19 women and 15 men); course on rights and procedures for women in situations of violence, discrimination and gender-related crimes, held in February 2018, attended by 35 civil servants (20 women and 15 men); and two courses on the criminal investigation of gender-based violence against women, attended by 50 persons (14 women and 36 men).

27. The National Civil Police has created 21 specialized criminal investigation teams for violence against women, which complement the work carried out through the specialized support units.

28. The Institute of Forensic Medicine has two specialized support units nationwide, whose personnel have been trained in the following areas: prevention, care and eradication of sexual and workplace harassment; analysis and interpretation of Institute reports on sexual crimes; femicide; domestic violence and femicide; psychological autopsy; sexual offences; and the protocol for investigating femicide.

**Recommendation 19. Regarding the National Mechanism for the Advancement of Women, the Committee recommends that the State party: (a) expedite the adoption of legislation reinforcing the leading role of the Salvadoran Institute for the Advancement of Women.**

29. The Government is pleased to report that, in September 2018, on the initiative of the President of the Republic, Mr. Salvador Sánchez Cerén, through the Minister of Labour and Social Security, presented the Draft Legislative Decree on the Law on the Salvadoran Institute for Women,<sup>6</sup> which develops the creation of the Salvadoran Institute for Women (IMUJERES) as the leading institution for the advancement of women's rights and will aim to ensure the systematic incorporation of the principle of transversality of equality and non-discrimination, as well as the right of women to a life free from violence.

30. The current law on the Salvadoran Institute for the Development of Women, issued by Legislative Decree No. 644 of 29 February 1996, assigns functions that need to be harmonized and updated in order to ensure compliance with the powers and responsibilities established in the following laws: the Equality, Equity and Eradication of Discrimination against Women Act, the Comprehensive Act on a Violence-Free Life for Women and the Domestic Violence Act. Thus, a new law is needed in order to redirect the powers currently conferred on IMUJERES. To that end, the Draft Legislative Decree on the Law on the Salvadoran Institute for Women creates a public-law institution with technical, financial and administrative autonomy, legal personality and its own assets. To date, the draft law<sup>7</sup> is still being studied by the Legislative Assembly with a view to its adoption in due course in accordance with the law.

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<sup>6</sup> Salvadoran Institute for the Advancement of Women (ISDEMU). Draft Legislative Decree on the Law on the Salvadoran Institute for the Advancement of Women, 2018. Available from: [http://www.isdemu.gob.sv/index.php?option=com\\_phocadownload&view=category&id=200%3Ainforme-cedaw&Itemid=234&lang=es](http://www.isdemu.gob.sv/index.php?option=com_phocadownload&view=category&id=200%3Ainforme-cedaw&Itemid=234&lang=es).

<sup>7</sup> Salvadoran Institute for the Advancement of Women (ISDEMU). Draft Legislative Decree on the Law on the Salvadoran Institute for the Advancement of Women, 2018. Available from: [http://www.isdemu.gob.sv/index.php?option=com\\_phocadownload&view=category&id=200%3Ainforme-cedaw&Itemid=234&lang=es](http://www.isdemu.gob.sv/index.php?option=com_phocadownload&view=category&id=200%3Ainforme-cedaw&Itemid=234&lang=es).

**Recommendation 19. On the national machinery for the advancement of women, the Committee recommends that the State party: (c) continue to strengthen the Salvadoran Institute for the Advancement of Women by providing it with the human, technical and financial resources necessary to ensure the effective coordination and implementation of public policies for the advancement of women and, in particular, to fulfil its mandate in the area of data collection.**

31. El Salvador reports that, during the period 2017–2018, the Salvadoran Institute for the Advancement of Women employed an average of 260 persons, of whom 90 per cent were women and 20 per cent were men. As at the end of 2018, 51 per cent of staff were performing technical steering tasks; 4 per cent were specialists; 11 per cent were management personnel, area heads or departmental coordinators; 24 per cent were administrative staff and 10 per cent were operational staff. In the 2019 fiscal year, with the exception of the Executive Director, 100 per cent of the personnel are hired under the Salary Act, which provides workers with job stability and allows for the hiring of highly qualified personnel and ongoing employment.

32. The institutional budget for the period 2014–2018 remained constant, with very slight variations, at \$5.1 million. With a view to strengthening institutional capacity, the State party is pleased to report that the Legislative Assembly approved an additional \$700,000 for 2019, representing a 13.6 per cent increase, as detailed in the table below:

Table 4

**Budget of the Salvadoran Institute for the Advancement of Women**

Resources of the General Budget of the Nation 2017–2019

<i>Type of expenditure</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Current expenditure	\$5,143,445	\$5,163,155	\$5,864,860
Investment projects	\$180,000	\$43,000	\$300,000
Total	\$5,325,462	\$5,208,173	\$6,166,879

*Source:* Prepared by the Salvadoran Institute for the Advancement of Women (ISDEMU) on the basis of administrative records (2017–2019).

33. The Government is pleased to report that, in accordance with the recommendations of the Committee on the Elimination of Discrimination against Women, in 2017, the Salvadoran Institute for the Advancement of Women created the Planning Coordination Unit, which is responsible for the technical coordination of the institutional planning process and follow-up of the institutional information and statistics system. Three people are employed full time at the Unit.

34. The information system has five modules: 1. Institutional planning that monitors all public policy steering processes at the national and municipal levels; 2. Module of the National Equality Plan 2016–2020; 3. Module of the Five-Year Plan of the National Policy for women’s access to a life free from violence; 4. Module on the follow-up mechanism to the Convention of Belém do Pará; 5. Follow-up module on the Convention on the Elimination of All Forms of Discrimination against Women (under construction). The Information Centre can be found online at [www.infoigualdad-isdemu.gob.sv](http://www.infoigualdad-isdemu.gob.sv).