



**International Convention on the
Protection of the Rights of
All Migrant Workers and
Members of Their Families**

Distr.: General
25 November 2022
English
Original: Spanish
English, French and Spanish only

**Committee on the Protection of the Rights of All
Migrant Workers and Members of Their Families**

**Third periodic report submitted by El Salvador
under article 73 of the Convention pursuant to the
simplified reporting procedure, due in 2019* ****

[Date received: 3 October 2022]

* The present document is being issued without formal editing.
** The annexes to the present report are available on the Committee's web page.



I. Introduction

1. In accordance with article 73 (1) (b) of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, El Salvador hereby submits for consideration by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (the Committee) its third periodic report, which includes an update on the measures taken to give effect to the provisions of the Convention.
2. The present report has been prepared on the basis of the Committee's concluding observations on the second periodic report of El Salvador ([CMW/C/SLV/Q/2](#)) and the list of issues prior to submission of the third periodic report of El Salvador ([CMW/C/SLV/QPR/3](#)).
3. El Salvador considers that migration is the right of every person, and that human mobility requires innovative approaches and solutions specifically aimed at ensuring the rights of all migrant workers and their families, who contribute to the development of both their countries of origin and countries of destination.
4. The progress made by El Salvador in implementing the Convention since the submission of its second periodic report in 2014 is detailed below.

II. Replies to the list of issues prior to submission of the report ([CMW/C/SLV/QPR/3](#))

Replies to the questions raised in paragraph 1 (a)

5. The measures adopted to bring domestic legislation into line with the Convention include:
 - The Financial Inclusion Act (2015), the purpose of which is to promote competition in the financial system and to reduce costs for users by promoting the use of electronic money. To this end, El Salvador developed the National Financial Education Strategy, which is coordinated by the National Council for Financial Inclusion and Education.
 - Article 36 of the Special Act on the Protection and Advancement of Salvadoran Migrants and Their Families (2011) establishes exemptions for the entry of their belongings and household goods, and article 37 sets out the conditions under which these benefits may be enjoyed.
 - Article 116 of the Central American Uniform Customs Code and general administrative instruction No. DGA-018-2011 of the Directorate General of Customs lay down the provisions applicable to and specify the treatment to be given to travellers' luggage, household goods and small non-commercial shipments, which covers both domestic and foreign travellers.
 - Article 64 of the Banking Act (2005) provides that financial entities may freely establish interest rates, commissions and surcharges and that they are obliged to make these known to the public on a monthly basis.
 - Article 16 of the Income Tax Act (1991) establishes that income tax is to be levied only on income obtained from services used in the country.
6. Likewise, the Act on the Monitoring and Regulation of the Banking System and the Organic Act on the Central Reserve Bank of El Salvador define the activities of the Inspectorate of the Banking System, the Central Reserve Bank and the different banking and financial entities, including the modalities for regulating and monitoring transactions to and from abroad.

Replies to the questions raised in paragraph 1 (b)

7. The bilateral and multilateral migration agreements that El Salvador has concluded with countries in the Americas, including with the United States of America, include:

- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, Official Gazette No. 49, Volume No. 358, 13 March 2003.
- The plan of action between the United Mexican States and the Republic of El Salvador for cooperation in migration and consular protection matters. Signed on 9 March 2004.
- The Memorandum of Understanding between the Republic of El Salvador and the Republic of Nicaragua on the implementation of the temporary migratory mechanism for the protection and regularization of Nicaraguan and Salvadoran nationals who are in an irregular situation and who demonstrate their links to the destination country. Signed in San Salvador on 27 August 2004.
- The agreement between the Ministry of the Interior of the United Mexican States and the Ministries of Foreign Affairs and the Interior of the Republic of El Salvador for the orderly, expeditious and safe repatriation of Salvadoran migrants by land from Mexico. Signed on 17 May 2005.
- The Memorandum of Understanding between the United Mexican States and the Republic of El Salvador on the implementation of the migration mechanism for the temporary protection and regularization of Guatemalan and Salvadoran nationals who are in an irregular situation and who demonstrate their links to the destination country. Signed on 18 August 2005.
- The mechanism established by the Directorate General for Migration and Alien Affairs of the Republic of El Salvador and the Directorate General of Migration of the Republic of Guatemala to facilitate the orderly, expeditious and safe repatriation of Salvadoran migrants by land from Mexico. Signed on 18 August 2005.
- The Memorandum of Understanding between the Ministry of Foreign Affairs and the Ministry of Justice and Public Security of El Salvador and the United States Department of Homeland Security. Signed on 18 May 2007.
- The Memorandum of Understanding between the Ministry of Foreign Affairs and the Ministry of Justice and Public Security of El Salvador and the United States Department of Homeland Security, represented by United States Immigration and Customs Enforcement. Signed on 23 April 2010.
- The Memorandum of Understanding between the Governments of the Republics of Guatemala, El Salvador, Honduras, Nicaragua and the Dominican Republic on the establishment of a consular protection and humanitarian assistance network for Central America and the Dominican Republic in the United Mexican States. Signed on 15 December 2011.
- The joint declaration on migration, signed by the Committee on Foreign Affairs, Central American Integration and Salvadorans Abroad of the Legislative Assembly of the Republic of El Salvador, the President of the Committee on Migrants of the Congress of the Republic of Guatemala and the President of the Committee on International Relations of the National Congress of Honduras. Signed on 20 August 2014.
- The agreement between the United States of America and El Salvador on temporary agricultural and non-agricultural worker programmes aimed at establishing cooperation and coordination for the protection of wages and working conditions of workers in possession of a H2A or H2B visa, implementing mechanisms for the provision of assistance, care and consular protection, and prohibiting the charging of recruitment fees and the retention of identity documents.
- The letter of agreement between the Ministry of Foreign Affairs of El Salvador and the Occupational Safety and Health Administration of the United States Department of Labour concerning safety and health protection in the workplace for Salvadoran workers in the United States. Signed in 2022, the aim of the letter is to promote the welfare and rights of Salvadoran workers in the United States.

- The letter of agreement between the Ministry of Foreign Affairs of El Salvador, through its embassy and consulates in the United States, and the Office of the General Counsel of the United States National Labour Relations Board. The aim of the letter is to help both countries work together to foster an environment in which the rights of Salvadoran workers are recognized and respected by improving workers’ and employers’ knowledge of applicable laws.
- The Memorandum of Understanding between the Ministry of Foreign Affairs of El Salvador, through its embassy and consulates, and the United States Equal Employment Opportunity Commission. The aim of the memorandum is to promote and monitor the dissemination of employment laws and regulations and to create appropriate educational mechanisms.
- The Memorandum of Understanding between the Ministry of Foreign Affairs of the Republic of El Salvador and the Ministry of Foreign Affairs and International Cooperation of the Republic of Honduras on cooperation in relation to best practices in human mobility management. Signed on 10 August 2022.

Replies to the questions raised in paragraph 2

8. The migration strategy of the Government of El Salvador is set out in the Cuscatlán Plan (2019–2024), in the foreign policy section, specifically under component 3: diaspora and human mobility. Programme objective 3 is to increase the capacity to respond to the challenges posed by national and international human mobility by fulfilling the following strategic objectives:

- Strategic objective 3.1: Enhance the capacity to assist Salvadoran migrants and the quality of that assistance.
- Strategic objective 3.2: Promote and ensure the political, economic, cultural and social inclusion of the diaspora in their countries and communities.
- Strategic objective 3.3: Strengthen the system of the Ministry of Foreign Affairs by adapting it to meet current and future needs.

9. In keeping with the governmental strategy for 2021, the Office of the Deputy Minister for the Diaspora and Human Mobility was created within the Ministry of Foreign Affairs to follow up on the diaspora and human mobility component of the Ministry’s strategic plan for the period 2019–2024.

Table 1
Diaspora and human mobility component

<i>Diaspora and human mobility</i>		
<i>Strategic focus</i>	<i>Strategic objective</i>	<i>Strategic project</i>
Assist and protect the Salvadoran diaspora	Enhance the capacity to assist Salvadoran migrants and their families, the quality of that assistance and the protection available to them.	<p>Implement an integrated services system and expand the diplomatic and consular network to improve the assistance provided to the Salvadoran diaspora.</p> <p>Programme to restructure and professionalize the Salvadoran diplomatic and consular service.</p> <p>Set up the International Solidarity Network for the Protection of Salvadoran Migrants and their Families.</p>

Diaspora and human mobility

<i>Strategic focus</i>	<i>Strategic objective</i>	<i>Strategic project</i>
Human mobility	Lead national efforts to enable the transition towards circular and orderly migration.	Design and implement the Human Mobility Strategy. National Strategy for the Prevention of Irregular Migration. Labour market and economic reintegration of migrants who have returned to El Salvador and their families. Formulate and implement a strategy for managing opportunities for labour, circular, regular, orderly and safe migration.
Diaspora links to the country	Increase the inclusion of the diaspora in the political life and socioeconomic and cultural development of El Salvador.	Promote co-development initiatives such as “El Salvador nos acerca”. Attract diaspora investment. Human development and citizen participation of the diaspora.

Source: Original compilation based on the strategic plan of the Ministry of Foreign Affairs.

10. Moreover, the process of drafting the National Policy for the Protection and Advancement of Salvadoran Migrants and Their Families (2017) began in 2014. This instrument serves as a reference framework for protecting and defending the rights of Salvadoran migrants and their families. It defines strategic focuses and action lines for each stage of the migration process: origin, transit, destination and return.

11. The body responsible for implementing this policy is the National Council for the Protection and Advancement of Migrants and Their Families (CONMIGRANTES), which has undertaken the following initiatives: dissemination of the National Policy for the Protection and Advancement of Salvadoran Migrants and Their Families; the Unified Information System for Returnees; the Unified National System for Migration Information; the model for the regional implementation of the National Policy for the Protection and Advancement of Salvadoran Migrants; and the strategy for providing services to migrants, returnees and their families through municipalities and associations of municipalities in El Salvador.

12. The following human resources are at the disposal of CONMIGRANTES:

Table 2
CONMIGRANTES human resources 2017–2020

<i>2017–2020</i>		
<i>Level</i>	<i>Number</i>	<i>Position</i>
Managerial (Director, deputy director)	1	Executive Secretary of CONMIGRANTES (male)
Technical	2	Technical officer (female) Technical officer (male)

2017–2020

<i>Level</i>	<i>Number</i>	<i>Position</i>
Administrative and service staff (administrative assistant, messengers, motorcyclists)	1	Administrative assistant (female)
	1	Service staff

Source: CONMIGRANTES, 2022. Based on data provided by the institution.

Table 3
CONMIGRANTES human resources 2021–2022

2021–2022

<i>Level</i>	<i>Number</i>	<i>Position</i>
Managerial (Director, deputy director)	1	Executive Secretary of CONMIGRANTES (female)
Technical	2	Technical officer (female) Technical officer (male)
Administrative	1	Administrative assistant (female)

Source: CONMIGRANTES, 2022. Based on data provided by the institution.

13. The Executive Secretariat is allocated an annual budget to cover salaries and minor administrative expenses.

14. The budget for the Council has been included in the five-year projections and annual operating plans. Its annual budget from 2014 to 2022 is detailed below.

Table 4

CONMIGRANTES budget 2022

<i>Year</i>	<i>Budget</i>	<i>Budgetary increase (Special Act on Migration and Alien Affairs, 2019)</i>
2014	\$145 00	N/A
2015	\$105 676	N/A
2016	\$67 745	N/A
2017	\$78 325	N/A
2018	\$78 680	N/A
2019	\$78 680	N/A
2020	N/A	-
2021	\$98 875	-
2022	\$23 000	\$1 215 630

Source: CONMIGRANTES, 2022. Based on data provided by the institution.

15. Significant steps have been taken together with international cooperation agencies to strengthen the Council's outreach activities and to bolster its infrastructure through the provision of technological equipment, office furniture and agricultural machinery to facilitate the economic, labour market and social integration processes of young adult and adult returnees.

Replies to the questions raised in paragraph 3

16. The Ministry of Foreign Affairs, the Office of the Human Rights Advocate, the Directorate General for Migration and Alien Affairs, the Attorney General's Office and other entities are responsible for coordinating the implementation of the Convention.

17. The Office of the Deputy Minister for the Diaspora and Human Mobility of the Ministry of Foreign Affairs works to achieve safe, orderly and regular migration. To carry out its functions, the Office of the Deputy Minister has approximately 200 staff at its headquarters and more than 800 in the consular network. Furthermore, in 2022, its budget is around US\$35 million, allocated from the country's general fund. Over the last three years, US\$40 million from the special activities fund for the benefit of Salvadorans abroad and returnees have been allocated to help realize the rights of the Salvadoran migrant population and their families, including migrant workers.

18. As part of the process of strengthening the Commission for the Determination of Refugee Status, the Ministry of Foreign Affairs currently has the following human resources at its disposal: a secretariat headed by the Director of Legal Affairs, supported by two technical staff; a subcommittee headed by the Director of Humanitarian Services, supported by a technical legal officer; and four people from the Ministry of Foreign Affairs who work in this specific area. In terms of technical human resources: from January 2021 to September 2022, the Ministry benefited from specialized support in the area of humanitarian asylum in the form of three asylum lawyers and one administrative lawyer, all of whom specialize in this area.

19. The Counsel General's Office implements the Convention through different units that work to defend labour rights: the public servants' labour rights unit, the internal forced displacement unit, the public defender unit and the children and adolescents' unit. These activities are carried out on an ongoing basis; human resources are assigned to these operational units at the national level within the 18 branches of the Counsel General's Office located throughout the country. They do not have their own budget but instead rely on the general budget allocated to the Counsel General's Office each year.

20. The Counsel General's Office has an electronic tool that allows victims or users to file complaints and allows the public to notify or submit queries to it regarding actual, imminent or possible violations of their rights. The legal provisions that are applied within the Counsel General's Office to ensure the protection of migrant workers and their families include: the Constitution, the Labour Code, the Municipal Administration Employment Act, the Civil Service Act and the Administrative Disputes Act.

21. One of the functions of the Directorate General for Migration and Alien Affairs is to ensure the proper management of the immigration system by regulating the entry and exit of Salvadoran and foreign nationals to and from the national territory, as well as the transit and stay of foreign nationals in El Salvador. The Directorate General has 988 staff at its headquarters and 50 migration and administrative officers at the border who deal with residency procedures, including those applicable to migrant workers and their dependents. In terms of its technical resources, the Directorate General has the same number of computers using the Integrated Migration Management System, where the details of each foreign national are stored. In 2021, the Directorate General had a general budget of \$9,864,185.00 and benefited from a budgetary increase of \$2,365,962.00.

22. The Special Prosecutor's Unit for People Smuggling and Trafficking of the Attorney General's Office is the national body competent to investigate the crimes of trafficking in persons in all its forms and people smuggling. The Special Prosecutor's Unit currently has the following human resources: 12 specialized assistant prosecutors, 1 coordinating prosecutor, 1 psychologist to assist victims, 1 secretary and 1 supervisor. Prosecutors have the following technical resources at their disposal to assist them in performing their duties: laptop computers, electronic tablets, portable printers, desktop computers, photocopiers, scanners, fixed-line telephones and fax machines. In terms of its financial resources, the Special Prosecutor's Unit does not have its own budget but instead relies on the general budget allocated to the Attorney General's Office each year.

23. The Ministry of Labour and Social Security engages with migrant workers through:
- The Directorate General of Employment, through the following offices: the Migrant Workers Section and the Employment Department, which help returnees and their families rejoin the labour market.
 - The Directorate General of Labour Inspection, which performs labour inspections in places of work that hire migrant workers as a means of monitoring their working conditions.
 - The Labour Migration Programme, which allows the regular, safe and circular migration of Salvadorans to work abroad.
24. The Directorate General of Labour Inspection employs 87 inspectors nationwide and 17 supervisors. The legal texts that endow the Directorate with the technical resources necessary to carry out its functions and exercise its powers include: the Constitution, the General Act on Workplace Risk Prevention and the Labour Code.

Replies to the questions raised in paragraph 4

25. As for labour mobility, there is a register of persons hailing from the Central American region who enter the country and seek to regularize their migration status by applying for a work permit for a specific period of time. From 2019 to August 2022, 2,032 permits have been issued to seasonal workers, temporary workers and persons in transit to neighbouring countries (See annex 1 and annex 5).
26. Regarding improvements in the collection, processing and analysis of information and data collection, the processes being carried out by the Office of the Deputy Minister for the Diaspora and Human Mobility to generate statistical data currently involve two key actions:
- The creation of computer systems to allow for the collection of data in an orderly, systematic and real-time manner, with a focus on the destination in the first instance.
 - The development of an information management manual, which will address different aspects of the processes of collecting, analysing and presenting information.

Replies to the questions raised in paragraph 5

27. El Salvador does not have detention centres for migrants; it has only the Comprehensive Support Centre for Foreign Migrants. The Centre's activities are overseen by the Office of the Human Rights Advocate, which is responsible for monitoring and supervising the general treatment of migrants and any administrative proceedings initiated against them. In carrying out its interventions, the Office of the Human Rights Advocate also exercises oversight over the actions and conduct of the State agents appointed to serve in the Centre or other facilities in which they deal with migrants, thus allowing violations of migrants' human rights to be recorded and documented.
28. The Office of the Human Rights Advocate has expanded the scope of its activities by establishing a deputy advocate's office responsible for defending the rights of migrants and ensuring citizen safety, the purpose of which is to address and respond to migrant-related issues in a more targeted manner (Salvadoran and foreign nationals; missing migrants and persons seeking refugee status).
29. The Office of the Human Rights Advocate has also worked to develop an internal protocol for providing specialized assistance to migrants in the form of technical guidelines and action lines to be followed in cases involving migrants. The aim of this protocol is to standardize the approach taken at the institution's headquarters and to build the capacity of technical staff and improve the protection afforded to individuals' rights.
30. To carry out its institutional mandate, the Office of the Human Rights Advocate has a complaints department and 13 local offices. These offices provide on-site assistance, follow up on cases, document complaints and conduct inspections, among other activities. The Office also has a department tasked with assisting migrants and displaced persons, which is

responsible for following up in a targeted manner on cases involving alleged violations of the human rights of migrants, including migrant workers.

31. Moreover, since the outbreak of the coronavirus disease (COVID-19) pandemic, the Office of the Human Rights Advocate has been using an electronic tool known as APP: PDDH Denuncias. This application allows victims or users to file complaints and allows the public to notify or submit queries to the Office regarding actual, imminent or possible human rights violations. The Office can be contacted using the following means:

- Web page: <https://www.pddh.gob.sv/>
- Twitter: @PDDHEISalvador
- Facebook: <https://www.facebook.com/PDDHEISalvador/>
- Instagram: <https://www.instagram.com/pddhelsalvador/>
- Telephone: (503) 2520-4301/2520-3403
- Email: migrantes@pddh.gob.sv

Replies to the questions raised in paragraph 6

32. The National Council on Trafficking in Persons is the institution responsible for formulating, and monitoring, coordinating and evaluating the implementation of, the National Policy on Trafficking in Persons and for devising plans, programmes and public policy measures to prevent and combat this crime and to protect and assist victims in a holistic manner. The Council's work is guided by a human rights-based approach, in accordance with the parameters established in the Constitution and international human rights treaties. Awareness-raising campaigns are also carried out in an effort to prevent and combat human trafficking.

33. El Salvador, together with its international cooperation partners, promotes and disseminates the rights established in the Convention at the national and local levels by championing humane migration policies, strategies, development programmes and migration planning that ensure the well-being and the adequate enjoyment by these groups of their human rights; a holistic approach to migration; strategic partnerships; and aspects of human mobility in crisis situations and the promotion of safe, orderly and regular migration processes. An example of this is the support provided by the International Organization for Migration to help at least six local governments in the country conduct municipal diagnostic assessments on migration and social and labour studies on foreign nationals. It has also supported the drafting and adoption of municipal ordinances in four municipalities in the east and west of the country. The aim of this intervention is to help strengthen the local migration governance structures of these municipalities, where there is a significant amount of human mobility owing to the presence of Salvadoran returnees and a foreign population largely made up of Honduran and Nicaraguan nationals. In September 2022, a campaign was launched to disseminate and raise public awareness of the municipal ordinance designed to assist and protect migrants and their families in the municipalities in the east of the country that were the first to adopt it, namely, Pasaquina and La Unión.

34. Furthermore, in 2020, the National Council for the Protection and Advancement of Migrants and Their Families, in collaboration with the United States Agency for International Development, municipal governments and the International Organization for Migration, devised a strategy for providing services to migrants, returnees and their families in municipalities and associations of municipalities in El Salvador. The aim of this initiative is to provide municipal authorities and associations with a tool to help them design, implement, monitor and evaluate services, programmes and projects to assist and improve the situation of persons vulnerable to irregular migration, migrants, returnees and their families.

35. Bearing in mind the Committee's observations on the second periodic report submitted by El Salvador in 2014, progress has been made in revising the various national laws aimed at ensuring compliance with the Convention, such as the Special Act on Migration and Alien Affairs and its special implementing regulations (2019) and the Special

Act on the Protection and Advancement of Migrants and Their Families (2019) and its special implementing regulations and policy (2017). Inputs are collected to ensure the validity of the action plan for implementing the Policy for the Protection and Advancement of Migrants and Their Families through a series of awareness-raising workshops and forums involving government institutions, civil society organizations, academia and local governments.

36. The measures taken by El Salvador to raise awareness of the Convention include: the Border Security Division of the National Civil Police has trained its staff to identify human traffickers and counterfeit documents; the Salvadoran Institute for the Advancement of Women has strengthened its multidisciplinary teams so that they can identify situations of labour or sexual exploitation and ensure women's physical and emotional well-being; the Ministry of Foreign Affairs has labour liaisons who are trained to check up on Salvadoran workers in possession of a H2A or a H2B visa in the United States and offers related training programmes for consular staff, foreign ministry officials and the general public. Likewise, in 2021, the Commission for the Determination of Refugee Status conducted four day-long training sessions for the border staff of the Directorate General for Migration and Alien Affairs, the border police and health personnel on different forms of assistance, such as protection, and the safeguards associated with the principles of non-revictimization and non-refoulement or expulsion in the area of refugee profiling, with a view to providing comprehensive assistance to persons seeking refugee status in El Salvador.

Reply to the question raised in paragraph 7

37. The Office of the Human Rights Advocate, as a public authority, does not keep records of cases in which the Convention has been invoked.

38. Likewise, the Special Prosecutor's Unit for People Smuggling and Trafficking of the Attorney General's Office has no records of complaints or court cases in which the Convention was applied for 2019, 2020, 2021 or 2022.

Reply to the question raised in paragraph 7 (a)

39. The competent department of the Counsel General's Office has represented migrant workers before the Administrative Division of the Supreme Court, where it secured favourable rulings.

Reply to the question raised in paragraph 7 (b)

40. Lawyers from the Counsel General's Office provided or are providing legal assistance in the following three cases, in which favourable rulings were or are likely to be obtained for the migrant workers involved:

- Case in which a favourable ruling was secured for a worker from Nicaragua in 2016, whereby his employer was ordered to reinstate him and to compensate him for the loss of the wages he would have earned since his dismissal.
- Case in which a favourable ruling was obtained for a worker from Mexico in 2019, whereby her employer was ordered to pay her compensation for unfair dismissal.
- Lawsuit brought by a female worker from Argentina, which is currently under way.

41. In the above-mentioned cases, international norms were or have been invoked insofar as they offer a supplementary frame of reference to buttress claims of violations of the fundamental rights enshrined in the Constitution.

Reply to the question raised in paragraph 7 (c)

42. The Office of the Human Rights Advocate opens case files for and provides guidance and emergency assistance, through its various branches, to:

- Foreign nationals in El Salvador in situations of vulnerability.
- Salvadoran migrants in transit, such as voluntary returnees and deportees.
- Salvadoran migrants in situations of vulnerability, such as persons who are being held in detention, have gone missing, have been involved in a traffic accident or are experiencing a health emergency; it also provides assistance in the event of their death.

43. Legal assistance is provided to Salvadorans residing abroad through the diplomatic and consular network, as explained below.

Reply to the question raised in paragraph 7 (d)

44. Under article 3 of the Constitution, all persons are equal before the law. Thus, in the event of a violation of the rights enshrined in the Constitution, *amparo* proceedings may be brought before the Constitutional Division of the Supreme Court.

45. Article 17 of the Constitution provides that: “In the event of the review of a criminal case, the State shall indemnify, in accordance with the law, the victims of any duly substantiated judicial errors.” The State makes no distinction between Salvadoran and foreign nationals in this regard, and the direct responsibility of public officials and the subsidiary responsibility of the State for rights violations are determined in accordance with the law. Convictions are sought for the offence of people smuggling and trafficking in persons as part of the comprehensive reparation of violations of the rights recognized in the Convention.

Reply to the question raised in paragraph 7 (e)

46. The State intervenes in places where massive migratory flows are known to take place in order to inform migrant workers, as soon as they arrive, about their rights, complaints mechanisms, the risks of irregular migration and the mechanisms to approach for support in the event of their rights being violated.

47. From August to October 2021, the Office of the Human Rights Advocate monitored eight border posts in El Salvador and three unauthorized border crossing points to gather information on the practices of the authorities vis-à-vis the cross-border population, which is involved in informational, commercial, cultural and social activities linking El Salvador to countries such as Guatemala and Honduras.

Reply to the question raised in paragraph 8

48. The Constitution recognizes¹ the principle of equality before the law where the exercise of civil rights is concerned, and provides that no restrictions based on differences of nationality, race, sex or religion may be established. As part of efforts to facilitate access to justice for migrant workers, the Office of the Human Rights Advocate provides legal assistance to migrants whose labour rights have been violated. A campaign is being conducted to raise awareness of the services provided by the Counsel General’s Office, which are also available to migrant workers, regardless of their migration status.

49. Regarding measures taken to make it easier to report violations and for victims to receive reparations, and to ensure that criminal acts committed against migrants are fully investigated and that perpetrators are prosecuted and punished, the Special Prosecutor’s Unit for People Smuggling and Trafficking opens ex officio a comprehensive criminal investigation whenever it is informed that a smuggling or trafficking offence may have been committed against a Salvadoran or foreign national, be it by means of a report, complaint, citizen tip-off or certified document; during the investigation, foreign victims are informed

¹ Constitution of the Republic of El Salvador, art. 3: “All persons are equal before the law. Where the exercise of civil rights is concerned, no restrictions shall be established on the basis of differences of nationality, race, sex or religion.”

of their rights and the procedural guarantees applicable to them and their migration status in a clear manner and in their own language, through an interpreter.

50. At the local level, prosecutors, police officers and migration officials, as the first point of contact with the State for both foreign and Salvadoran victims, are trained to identify and assist victims and to inform them of their rights and the mechanisms and institutions that allow them to exercise those rights.

51. The Directorate General of Labour Inspection of the Ministry of Labour and Social Security closely monitors observance of the labour rights of all workers, without discrimination.

Reply to the question raised in paragraph 9

52. The response of El Salvador to the COVID-19 pandemic has been hailed as one of the most effective in the world.² The first measure taken to contain the pandemic was the adoption of Ministerial Agreement No. 301³ on 23 January 2020, whereby a health emergency was declared with immediate effect and for an indefinite period throughout the national territory; the measures imposed as a result were applicable to both foreign and Salvadoran nationals. This preventive measure was taken to protect public health in the context of the international epidemiological situation caused by the spread of COVID-19.

53. As part of the efforts to control and contain the pandemic, San Óscar Arnulfo Romero y Galdámez International Airport and all land and maritime borders were closed.

54. Regarding measures to ensure that the pandemic did not affect the processing of asylum applications or migration procedures, the Government did not stop receiving or processing applications, having assigned personnel to handle applications electronically between March and August 2020.

55. With regard to the humanitarian corridor for the safe return of citizens of member countries of the Central American Integration System, which is part of the regional contingency plan designed to complement national efforts for the prevention, containment and treatment of COVID-19, the member States have taken a coordinated approach to managing their borders, implementing health measures to protect persons using the corridor, officials and the general well-being of the population of the region.⁴ Inter-institutional measures were taken to facilitate the return of foreign nationals in El Salvador to their countries of origin.

Reply to the question raised in paragraph 9 (a)

56. El Salvador guarantees free, comprehensive, accessible and universal care to all persons in its territory, regardless of their nationality and migration status. From March 2020 to August 2022, access to the national immunization programme, which includes the COVID-19 vaccine, was guaranteed for all persons seeking vaccination in a medical facility, such as a health clinic, hospital or medical centre in a school, throughout the country. The universal vaccination campaign is still under way in designated health facilities.

57. From 1 June 2019 to 31 July 2022, outpatient care was provided to foreign migrants and Salvadoran nationals residing abroad 59,752 times, the details of which are provided below.

² See the note available at <https://www.presidencia.gob.sv/el-salvador-es-reconocido-como-el-mejor-pais-de-centroamerica-y-el-segundo-en-america-latina-en-gestionar-la-pandemia-segun-el-instituto-lowy/>.

³ See Ministerial Agreement No. 301, published in *Diario Oficial* No. 15, vol. 426, available at <https://www.transparencia.gob.sv/institutions/minec/documents/372524/download>.

⁴ The full report is available at <https://www.sica.int/download/?121512>.

Table 5
Outpatient services provided to migrants, by country of origin

<i>Country</i>	<i>Services</i>	<i>Per cent</i>
Honduras	38 127	63.8
Guatemala	16 814	28.1
Other countries	2 125	3.6
Nicaragua	1 011	1.7
Salvadorans residing abroad	1 004	1.7
Costa Rica	587	1.0
Panama	84	0.1
Total	59 752	100

Source: Ministry of Health/Online Morbidity and Mortality Information System, consulted on 16 August 2022.

58. From 1 June 2019 to 31 July 2022, 4,972 foreign migrants were discharged from the public hospital network after receiving comprehensive care.

Reply to the question raised in paragraph 9 (b)

59. Access to the health-care services provided by the National Health System is guaranteed to both Salvadoran and foreign nationals regardless of their migration status, which makes it possible to supervise, monitor, identify, treat and rehabilitate persons with COVID-19.

60. The following health-care services are provided:

- General and specialized medical care tailored to the age of the patient.
- Mental health care, nutritional care, physiotherapy, clinical laboratory testing, curative and preventive dental care, educational counselling and health education.
- Specialized outpatient medical care and emergency and specialized surgical inpatient procedures.
- Immunization schedules for people of all ages, including persons deprived of their liberty, regardless of their migration status, free of charge.
- Needs-based rehabilitation services at the different levels of health care.
- Targeted care aimed at preventing the transmission of HIV and sexually transmitted infections for key groups, such as sex workers, men who have sex with men and transgender women in border areas.
- Screening of migrants in transit and the resident population in border areas for HIV and sexually transmitted infections.
- Diagnosis, care, treatment and referral of persons who have been diagnosed with or exposed to any form of tuberculosis.

Reply to the question raised in paragraph 9 (c)

61. Coordinated national pandemic prevention and response plans have been carried out under the leadership of the President, who has issued various executive decrees to protect all persons present in El Salvador.

62. The Ministry of Labour has complied with all measures ordered by the Ministry of Health; accordingly, biosafety measures were imposed in workplaces, in addition to the other preventive measures described above.

Reply to the question raised in paragraph 9 (d)

63. El Salvador does not have detention centres for migrants; it has only the Comprehensive Support Centre for Foreign Migrants, which carries out administrative procedures. A framework agreement has been concluded with the Ministry of Health on the provision of health-care services at this centre.

Reply to the question raised in paragraph 9 (e)

64. Through inter-institutional coordination, the State helped to ensure that the mortal remains of Salvadoran and foreign migrant workers were returned to their families in El Salvador and abroad, in compliance with current sanitary protocols.

65. Under the procedure for repatriating the remains of Salvadoran nationals who have died abroad, members of the family of the deceased are entitled to assistance upon request, irrespective of their migration status. In 2021/22, the mortal remains of five persons who had died in workplace accidents were repatriated to El Salvador.

Reply to the question raised in paragraph 9 (f)

66. During the health emergency caused by COVID-19, the Directorate General for Migration and Alien Affairs continued to operate its services as normal, with some of its staff working remotely. A decision was taken to suspend administrative deadlines for migration procedures to avoid penalizing migrants and to protect their health.

67. The Directorate General for Migration and Alien Affairs also played an integral role in implementing the government-wide response to the pandemic by:

- Facilitating and streamlining migration checks for foreign nationals returning to their countries of origin on humanitarian flights.
- Coordinating the work of the various government institutions involved in the scheduling of humanitarian flights for returning Salvadoran citizens.

Reply to the question raised in paragraph 10

68. El Salvador works to ensure that all migrant workers enjoy the rights and guarantees recognized in the Convention and in national legislation, in accordance with the Constitution. Article 3 of the Constitution provides that: “All persons are equal before the law. Where the exercise of civil rights is concerned, no restrictions shall be established on the basis of differences of nationality, race, sex or religion.”

69. The Labour Code likewise establishes requirements of non-discrimination and equality, including gender equality in the workplace, thereby prohibiting discriminatory behaviour. El Salvador has also ratified the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), of the International Labour Organization.

70. The Migration Act of 1958 has been repealed and replaced with the Special Act on Migration and Alien Affairs of 2019 and its implementing regulations, which protect all the rights of migrant workers recognized in the Convention.

Replies to the questions raised in paragraph 11

71. Various government institutions have taken measures to address the exploitation of migrant workers and their families. For example, the Investigations Department of the Directorate General for Migration and Alien Affairs carries out immigration checks to verify that foreigners in the country are abiding by the rules set forth in the Special Act on Migration and Alien Affairs and its implementing regulations.

72. No data are available on children and adolescents who returned from abroad or were in transit during the reporting period and whose rights were violated through child labour, hazardous work, economic exploitation or trafficking for the purpose of exploitation, in particular through domestic servitude, forced labour, slavery-like practices or sexual exploitation.

73. The Salvadoran Institute for the Advancement of Women has implemented policies that have strengthened and contributed to the protection of migrant women through cross-cutting mechanisms that ensure equality and non-discrimination. The services available to migrant women include a national call centre and a virtual support platform called “126 te orienta”. As part of a joint initiative involving the Ministry of Foreign Affairs and technical assistance from the Inter-American Development Bank, the “126 te orienta” service was expanded, becoming “126 te orienta sin fronteras”, in order to provide Salvadoran women living abroad with counselling, assistance and guidance. Appropriate steps are taken whenever situations of forced labour or sexual exploitation are uncovered.

74. The Ministry of Labour and Social Security is examining the possibility of ratifying the Protocol of 2014 to the Forced Labour Convention.

75. Within the framework of the 2017 Protocol for the Protection and Care of Salvadoran Migrant Children and Adolescents, the National Council for Children and Adolescents devised the Plan for the Comprehensive Care and Protection of Returnee Children and Adolescents and Their Families 2021–2023 (the “Open Arms” plan); the plan establishes updated measures for child and adolescent protection bodies and international cooperation initiatives with a view to ensuring comprehensive protection for the rights of children and adolescents affected by irregular migration and preventing repeat migration.

Replies to the questions raised in paragraph 12

76. Measures to guarantee respect for and protection of the rights of migrant children and adolescents have been implemented at two levels:

- Specialized support for migrant children: Rights protection agencies, particularly the Child and Adolescent Protection Boards, have provided specialized support to child and adolescent returnees who are at risk, whose rights have been violated or who have travelled unaccompanied, where it is impossible to identify a family member who can care for and protect them. Specialized support has also been provided through special migrant support programmes, such as the Child, Adolescent and Family Services Centres programme, which focuses on assisting families in order to prevent irregular migration.
- Prevention of migration and repeat migration: Measures have been taken under the “Open Arms” plan to prevent migration and the repeat migration of returning migrants (see annex 2).

77. The following measures have been taken to protect children and adolescents from child labour:

- Under the National Policy for the Comprehensive Protection of Children and Adolescents, preventive awareness-raising measures targeting employers with a view to reducing child labour in sectors such as harvesting and tourism.
- Capacity-building of the personnel of the National Protection System for the Identification, Reporting, Processing and Referral of Cases of All Forms of Child Labour.
- Establishment of the Information System for the Monitoring and Assessment of Child Labour.
- Implementation of the Inter-Agency Protocol for the Prevention of Child Labour and the Removal of Children and Adolescents from Situations of Child Labour.

78. The following measures were taken in follow-up to the recommendations made in the 2018 concluding observations of the Committee on the Rights of the Child:

- Creation, operationalization and monitoring of the National Commission for Follow-up to the Observations of the Committee on the Rights of the Child.
- Adoption of the Growing Together Act (2022), which strengthens the composition, powers and obligations of the institutions comprising the National Protection System.

Replies to the questions raised in paragraph 13

79. Following the establishment of the Mechanism for Follow-up to the Implementation of the Inter-American Convention against Corruption, a tool for promoting the application of the aforementioned Convention, every effort is being made to combat corruption in decision-making processes related to migration.

Replies to the questions raised in paragraph 14

80. The State ensures the right of migrant workers and members of their families to liberty and freedom from arbitrary detention; detention may not be ordered in the context of migration-related administrative procedures.

81. Article 40⁵ of the Child and Adolescent Protection Act recognizes the right to protection from deprivation of liberty, confinement and institutionalization. The State has never adopted general measures of confinement or deprivation of liberty in respect of children and adolescents whose family is able to take care of and protect them.

82. Statistical data on migrants deprived of their liberty in connection with criminal proceedings are provided below.

Table 6

Migrants deprived of their liberty in connection with criminal proceedings

<i>Year</i>	<i>Country</i>	<i>Men</i>	<i>Women</i>	<i>Persons assisted by the Public Defender Service</i>
2014	Nicaragua	58	12	70
	Honduras	62	6	68
	Belize	1		1
	Mexico	5	1	6
	United States of America	7		7
	China	1		1
	Panama	1		1
	Canada	1		1
	Ecuador	8	1	9
	Costa Rica	1		1
	Italy	1		1
	2015	United Kingdom	1	
Honduras		20	1	21
Nicaragua		34		34
Mexico		3	1	4

⁵ Child and Adolescent Protection Act, art. 40: “All children and adolescents have the right not to be arbitrarily or unlawfully deprived of their liberty, without any limitation other than as provided for by law.”

<i>Year</i>	<i>Country</i>	<i>Men</i>	<i>Women</i>	<i>Persons assisted by the Public Defender Service</i>
	Colombia	2		2
	Ecuador	6	2	8
	United States of America	2		2
	Italy	1		1
2016	Nicaragua		2	2
	Costa Rica	1		1
	Honduras	1		1
2017	Guatemala	1		1
	Peru	1		1
	Nicaragua	1		1
2018	Colombia	2		2
	Ecuador	1		1
	Nicaragua		2	2
2020	Ecuador	1		1
	Honduras	1		1
	Nicaragua		1	1
	Guatemala		1	1
Total		225	30	255

Source: Counsel General's Office, 2022.

83. Information on the legal assistance provided to migrant workers in El Salvador is provided below, in response to the question raised in paragraph 36 (h).

Reply to the question raised in paragraph 15

84. El Salvador has not deported any migrant workers or members of the families of migrant workers since 2019, when the Special Act on Migration and Alien Affairs was adopted. If a foreign national is found to be in an irregular migration situation that entails deportation, repatriation, assisted voluntary return or administrative expulsion, an official of the Directorate General for Migration and Alien Affairs reads the law to the alleged offender to inform him or her of the charges and his or her rights, which include five working days to exercise the right to a defence and provide any relevant exculpatory evidence so that an appropriate decision can be made. Subsequently, an appeal may be filed with the Ministry of Justice and Public Security, which acts as the appellate authority in such cases.

Replies to the questions raised in paragraph 16

85. Under article 212 of the Constitution, the Armed Forces of El Salvador have a mandate to defend the State and the integrity of the national territory. According to Executive Decree No. 36 on Special Transitory Provisions for the Participation of the Armed Forces in Internal Peacekeeping Operations and the amendments thereto, the Armed Forces are authorized to guard the national border at unauthorized crossing points to prevent the trafficking or illegal transfer of goods and persons by land, air and sea.

86. Whenever Salvadoran or foreign nationals are discovered in unauthorized areas guarded by the Armed Forces, coordinated action is undertaken by the Directorate General for Migration and Alien Affairs, the National Civil Police and the Directorate General of Customs.

87. The National Civil Police takes steps to identify vehicles believed to have been stolen, persons who may be victims of human trafficking or smuggling and persons with an irregular migration status, instructs its on-duty officers to carry out operations and guide tourists towards the help desk of the Directorate General for Migration and Alien Affairs so that they can carry out the necessary migration registration procedures and provides security services for employees of the Directorate General of Customs and the Directorate General for Migration and Alien Affairs at inter-agency intervention points.

88. When asylum-seekers arrive at a border crossing point, a subcommission of the Commission for the Determination of Refugee Status travels to the border to conduct an eligibility interview with the persons concerned; the subcommission issues a decision within 72 hours, during which time the National Civil Police takes the persons into custody and provides them with support. If an asylum-seeker's application is accepted, he or she is provided with shelter, in accordance with the international protection principle of non-refoulement.

89. Regarding reception facilities, the Comprehensive Support Centre for Foreign Migrants provides shelter to persons seeking refugee status referred by the Directorate General for Migration and Alien Affairs, interviews them to determine the reasons for their request for international protection and initiates the asylum procedure before the Commission for the Determination of Refugee Status.

90. As part of the international cooperation initiatives coordinated by the Office of the United Nations High Commissioner for Refugees and carried out by its partner agencies, reception facilities for asylum-seekers have been built in various locations; these facilities are managed by the International Rescue Committee and the Norwegian Refugee Council and give effect to the right to receive humanitarian assistance.

Reply to the question raised in paragraph 17

91. The Comprehensive Support Centre for Foreign Migrants is operated by the Directorate General for Migration and Alien Affairs; it is not an administrative detention centre. In accordance with its legally established mandate, the Centre provides protection to foreign nationals who may be victims of human trafficking or smuggling and to asylum-seekers while their cases are pending before the Commission for the Determination of Refugee Status and the partner agencies of the Office of the United Nations High Commissioner for Refugees.

Replies to the questions raised in paragraph 18

92. Both the Constitution and subsidiary laws recognize the right of Salvadoran and foreign nationals to due process without differential treatment. In accordance with Salvadoran criminal law, migrants who are being prosecuted for a crime are entitled to the services of a translator and to receive free legal assistance from the Counsel General's Office.

93. The Constitutional Procedures Act provides that any person detained illegally or arbitrarily may file an application for habeas corpus with the Constitutional Division of the Supreme Court, which, in such cases, must result in the person's immediate release. The law makes no distinction between Salvadoran and foreign nationals in this regard and both groups have access to this safeguard on an equal footing (see annex 3).

94. Regarding communication with the consular or diplomatic authorities of the State of origin of detained migrant workers or of members of their families, the Counsel General's Office is required to notify the relevant consulate or embassy of the migrant's situation and the Prison Inspections Department of the Office of the Human Rights Advocate conducts visits to prisons in order to inspect conditions and determine whether detained migrants have been allowed to contact their countries' consular authorities.

95. With regard to special procedural guarantees for unaccompanied migrant children, when unaccompanied migrant children are identified, the national protection system

established under the Child and Adolescent Protection Act and the Growing Together Act is activated and those children are housed in special centres.

96. One of the fundamental principles of the Growing Together Act is that of the best interests of the child or adolescent. The Act provides that: “In administrative and judicial proceedings involving children and adolescents, their best interest, which shall guarantee respect for their rights and ensure that they receive comprehensive care and protection, shall prevail.”

Replies to the questions raised in paragraph 19

97. The Office of the Deputy Minister for the Diaspora and Human Mobility of the Ministry of Foreign Affairs has designed and developed a protocol for the provision of assistance and humanitarian services to Salvadorans abroad for the diplomatic and consular network of El Salvador; the aim of the protocol is to establish standardized procedural guidelines for delivering assistance and humanitarian services that are built around the human rights of Salvadorans living abroad, regardless of their migration status.

98. The aforementioned protocol establishes procedures to be followed in cases involving the following persons and situations:

- Migrant children and adolescents
- Victims of human rights violations and serious crimes
- Salvadorans who have disappeared or gone missing
- Persons with health conditions that require medical attention
- Persons deprived of their liberty
- Persons who died in transit or in countries of destination
- Persons returning because of the application of migration procedures
- Management of food aid
- Provision of assistance to Salvadorans during crises

99. General guidelines, guidelines for specialized care and specific recommendations for the treatment of LGBTQI+ persons have been established and are applied in migration procedures where appropriate.

100. As part of efforts to strengthen the assistance and protection provided by consular services, an agreement was concluded with the United States Department of Labour to raise awareness of and enforce the labour rights of Salvadorans living in the United States. The agreement includes a series of measures intended to provide such workers with information, guidance and access to educational and training resources, with a view to promoting their right to occupational safety and health, particularly in relation to fall and shock risks.

101. The diplomatic and consular network has been strengthened to provide the support required by migrating Salvadorans and work is under way to modernize consular services through the creation of an online appointment portal, which will help to organize and expedite the delivery of consular support services. High-level visits have been made to Mexico, the United States of America, Belize and Guatemala to inspect the living conditions of Salvadoran migrants in protection centres, holding centres and shelters located along irregular migratory routes. These visits allowed the Government to learn first-hand about the needs of Salvadorans in situations of vulnerability and to advocate for the promotion, observance and protection of their human rights in bilateral and multilateral forums. In addition, the Government is working together with various consulates at the regional level to assist and protect the rights of Salvadorans living in places where there is no consular representation.

102. A virtual consular service has been set up to provide Salvadorans abroad with a remote assistance platform that offers advice, guidance and information on various topics related to migration in an expeditious and readily accessible manner. Currently, the platform is

available to Salvadorans living in Mexico, the United States of America and Canada; Salvadorans in Europe are expected to have access to the platform in 2023. The main services provided through the helplines 1-888-301-1130 (United States of America and Canada) and 1-800-747-6117 (Mexico) are the management of appointments for consulate assistance, consular procedures, humanitarian assistance, investment information, legal advice and advice on importing household goods. Support is also available through the mobile telephone application WhatsApp via the number (503) 7070-1071. In 2021, the virtual consular service handled 190,592 calls and provided assistance via the WhatsApp instant messaging service 39,358 times; taken together, the service provided assistance on 229,900 occasions.

103. Regarding the measures adopted by the State party to analyse the causes of migrant caravans and irregular migration, El Salvador is committed to combating transnational organized crime, in particular migration-related crimes, including migrant smuggling and trafficking in persons. In 2017, special regulations were adopted to combat people smuggling, under which tools were established to dismantle these so-called migrant caravans before they come to fruition, on the grounds that their formation constitutes the promotion of acts defined as a criminal offence under article 367-A of the Criminal Code. As a result, since 2019, no massive migratory flows have originated in El Salvador.

Replies to the questions raised in paragraph 20

104. El Salvador has ratified the International Labour Organization conventions in question. Article 38 (1) of the Constitution provides that “when employed in the same enterprise or establishment and in identical circumstances, workers shall receive equal remuneration for equal work regardless of their sex, race, religious beliefs or nationality”. Articles 29 (11) and 123 of the Labour Code also contain provisions on workers’ remuneration.

105. The main laws regulating pay and working conditions are the Constitution (1983), the Labour Code (1972), the Act on Equality, Equity and the Elimination of Discrimination against Women (2011) and the Civil Service Act (1961).

Replies to the questions raised in paragraph 21

106. Public hospitals provide free assistance to the sick who lack the means to pay and to the general population when treatment constitutes an effective means of preventing the spread of a communicable disease.⁶ No distinction is made between foreign and Salvadoran nationals when providing medical services.

107. Salvadoran migrant workers can gain access to the system of the Salvadoran Social Security Institute from their State of employment. Under the “Salvadoreño Seguro” programme, medical care is provided in El Salvador to Salvadoran nationals who normally reside abroad and their beneficiaries in the country. In addition, migrant workers and members of their families can register with the Salvadoran Social Security Institute to use health-care services.⁷ Services provided under the programme include preventive care, health check-ups, laboratory testing and diagnostics, emergency care, hospitalization, elective surgery, and procedures.

Replies to the questions raised in paragraph 22

108. Education is recognized as a universal right in Salvadoran law. All protection programmes implemented by the State include an educational component designed to ensure

⁶ Constitution, art. 66: “The State shall provide free assistance to the sick who lack the means to pay and to the general population when treatment constitutes an effective means of preventing the spread of a communicable disease. In such cases, every person is required to undergo treatment.”

⁷ For the registration requirements, see: <https://www.iss.gov.sv/servicios/inscripcion-de-trabajadores/#:~:text=Requisitos%20para%20inscripci%C3%B3n%20del%20trabajador%3A&text=Si%20es%20extranjero%2C%20pasaporte%20o,Una%20fotograf%C3%ADa%20reciente%20tama%C3%B1o%20c%C3%A9dula.>

that the children and adolescents served by such programmes continue their education, insofar as the characteristics of each case allow, regardless of their migration status.

109. Regarding measures taken to provide social, psychological or financial support for families affected by migration, the Salvadoran Institute for Comprehensive Child and Adolescent Development, through its programme of care centres for children, adolescents and families and institutional care programmes, carries out educational activities so that children and adolescents who have returned or are in transit have access to education services in care facilities or local schools in their municipalities of residence.

110. The Plan for the Comprehensive Care and Protection of Returnee Children and Adolescents and Their Families 2021–2023 (the “Open Arms” plan) specifically envisages a sustainable reintegration programme for returnee children and adolescents and their families and community projects to strengthen the sustainable reintegration of returnee children and adolescents and to prevent their repeat migration.

111. The Ministry of Education, Science and Technology is striving to ensure full access to education through flexible school arrangements, a school counselling programme and proficiency tests. Statistical data on the student population reveal the number of students of different nationalities who have access to the public education system under both regular and flexible arrangements (see annex 4).

112. Measures taken by the State to provide social and psychological support to families affected by migration include, in the Departments of San Miguel, Santa Ana, Usulután, San Vicente and San Salvador, a set of systematic actions organized in family and community settings with a view to minimizing irregular migration and its consequences and thus guaranteeing the rights of children and adolescents. These activities are supported by non-governmental organizations, which provide facilities and training for technical personnel.

Reply to the question raised in paragraph 23

113. The Ministry of Foreign Affairs is currently implementing a labour mobility programme under which temporary agricultural and non-agricultural workers are sent to the United States of America. Workers stay for two to six months, with the possibility of an extension, and may not travel with family members.

114. The Ministry of Labour and Social Security, through its labour migration programme, helps to improve the lives of workers and their families through regular and circular migration. The programme also provides workers with temporary employment in the formal sector in Canada.

Replies to the questions raised in paragraph 24

115. The Government repealed the International Transfer Control Act in 1989. Since then, Salvadoran nationals, whether in the country or abroad, and foreign nationals in the country, can transfer their earnings and savings without restrictions.

116. In addition, while the Arrival from Abroad (Baggage) Act does not make specific provision for the entitlements of migrant workers, all travellers entering the country are exempt from the payment of duties and taxes on the import of new goods with a total value of up to \$1,000.⁸ In December 2022, this limit may increase to \$3,000 or to another amount fixed by legislative decree.⁹ Salvadorans who have resided abroad for three years or more and are returning permanently to the country are exempt from paying duties and taxes on household goods with a total value of up to \$15,000. These exemptions reduce the cost of transactions for Salvadoran and foreign migrant workers who are transporting their personal effects and belongings.

⁸ Arrival from Abroad (Baggage) Act, arts. 4 and 31. See: http://infotrade.minec.gob.sv/wp-content/uploads/11_Ley_de_Equipajes_de_Viajeros_Procedentes_del_Exterior.pdf.

⁹ The tax-free limit of \$3,000, approved in 2021, is subject to change by legislative decree.

117. El Salvador does not levy any taxes on remittances. Income tax applies only to income obtained in the country, meaning that earnings and savings can be transferred by Salvadoran migrant workers at a reduced cost and are not subject to double taxation.¹⁰

118. In September 2021, the Bitcoin Act entered into force, leading to the release of the Chivo Wallet application. This is a digital wallet designed to make it easy for Salvadorans to send remittances at any time with zero commission.

Reply to the question raised in paragraph 25

119. The Directorate General for Migration and Alien Affairs provides information about its services for users and target population groups through its website and social networks, as well as personalized advice on regularization and compliance with the requirements of the Special Act on Migration and Alien Affairs and its implementing regulations. It has also carried out campaigns for the issuance of identity cards for seasonal workers and temporary cross-border workers and publicity campaigns encouraging persons belonging to target population groups to seek access to its services.

120. Furthermore, the Directorate General of Employment of the Ministry of Labour and Social Security provides a labour intermediation service that offers career guidance, personalized advice and group workshops; engages with employers; registers vacancies and gives advice on how to enhance job profiles; organizes interview and meeting days with employers; and runs a job placement programme for persons with disabilities.

Replies to the questions raised in paragraph 26

121. Temporary workers participating in the above-mentioned labour mobility programme of the Ministry of Foreign Affairs attend “preventive protection” seminars at which they are provided with information on key issues for their well-being, integration and return. These seminars address topics including: guidance on the labour rights of migrants in the United States (in coordination with the Grupo de Monitoreo Independiente de El Salvador and the Pan American Development Foundation); interculturality; obligations of workers; financial education; consular services and protection; and rules of coexistence and basic social norms in the country of destination.

122. The labour mobility programme is implemented in the following stages: establishment of bilateral and regional partnerships; promotion of and engagement with employers; call for applications, selection and recruitment; monitoring and support upon return; and reintegration and impact assessment.

123. Regarding mechanisms for follow-up with respect to migrants participating in programmes abroad, labour liaison officers, whose specific task is to monitor workers in coordination with the authorities of the country of destination, have been appointed in the Salvadoran consular network.

Replies to the questions raised in paragraph 27

124. A large number of workers have emigrated from El Salvador, resulting in significant remittance flows to their families. In view of this, the institutions that regulate and oversee the financial system have developed mechanisms to encourage the efficient use of funds, including in the framework of the National Financial Inclusion Policy adopted under the Financial Inclusion Act.

125. The earnings of migrant workers in El Salvador are taxed. Authorities in countries of origin may, at their discretion, take measures pursuant to the negotiation and signing of agreements to avoid double taxation on income and wealth, in conformity with the model conventions drawn up by the Organisation for Economic Cooperation and Development and

¹⁰ Income Tax Act, art. 16. See: <https://pdba.georgetown.edu/Parties/ElSalvador/Leyes/LeyRenta.pdf>.

the United Nations. El Salvador does not tax remittances received from abroad, which reduces the cost of transferring earnings and savings for foreign migrant workers in the country.

126. The Directorate for the Diaspora and Development of the Ministry of Foreign Affairs has signed a cooperation agreement with the Office of the Superintendent of the Financial System to provide financial education to working people. It also coordinates with private entities to make banking services more accessible and to facilitate financial inclusion.

127. On the policies in place to improve the portability of social security entitlements, see the replies to the questions raised in paragraph 21.

128. On the bilateral and multilateral agreements concluded in the field of migration, see the replies to the questions raised in paragraph 1 (b).

Reply to the question raised in paragraph 28

129. The Migration Act of 1958 was repealed with the entry into force in 2019 of the Special Act on Migration and Alien Affairs and its implementing regulations.

130. Under the new Act, when a migrant worker is laid off, both the worker and the employer must notify the authorities of the termination of employment prior to the expiry of the work permit, so that the migrant worker may be granted a period of 90 calendar days from the date of termination to find another remunerated activity.

Replies to the questions raised in paragraph 29

131. Since 2019, the Directorate General for Migration and Alien Affairs has carried out campaigns for the issuance of identity cards for seasonal workers and temporary cross-border workers, issuing a total of 166 documents, as part of a strategy to promote decent conditions for migrant workers.

132. Article 13 of the Special Act on Migration and Alien Affairs establishes the functions of the Directorate General and its competence for immigration control. Article 16 of the Act's implementing regulations establishes that the Directorate General will work with the National Civil Police to enforce immigration control on means of transport and with the Ministry of Labour and Social Security to uphold the labour rights of all migrant workers, regardless of their migration status.

Replies to the questions raised in paragraph 30

133. Regarding measures to ensure the voluntary return of workers and members of their families to El Salvador, the Directorate General for Migration and Alien Affairs registers arrivals of returnees in a flexible, efficient and timely manner, in recognition of their status.

134. Cooperation programmes with States of employment, specifically the United States, are implemented in four stages: establishment of partnerships with businesses; calls for applications, selection and recruitment; monitoring and support upon return; and reintegration and impact assessment. In respect of this last stage, the Government and the United States Agency for International Development have implemented a productive reintegration programme for returnees and migrants who have participated in the H-2A visa programme.

135. Measures taken to assist returning migrant workers in their resettlement and reintegration include:

- The setting up of specialized help desks for female returnees and regional help desks for returned migrants.
- The development of a protocol to assist female returnees.

- The operation of a shelter for female returnees who are victims of violence, in coordination with the Salvadoran Institute for the Advancement of Women.
- The improved coordination of specialized and regional help desks with other institutions on issues of health and psychosocial care.
- The establishment within the Ministry of Foreign Affairs of departments for the prevention of irregular migration and for humanitarian services.
- Greater coordination with local governments and civil society actors and participation in intersectoral committees.
- The creation and implementation of a training programme for help desk personnel.
- The development of unconventional projects, leveraging Industry 4.0 advances, in areas such as breadmaking, agriculture, sewing and gastronomy; and projects to assist the most vulnerable returnees, women and older persons.

136. All branches of the Attorney General's Office have units for receiving complaints, thus guaranteeing the right of access to justice for returning migrant workers.

137. As for the right to health, in El Salvador, universal, free, accessible, specialized health care with a life-course approach is provided for all persons on Salvadoran territory through the National Comprehensive Health System.

138. The technical guidelines for the reception, care and protection of children and adolescents who return to the country, published in 2014, were issued to guide the work of the Child and Adolescent Protection Boards. The National Council for Children and Adolescents oversees the work of the Protection Boards to ensure that the guidelines are followed.

139. The Protocol for the Protection and Care of Salvadoran Migrant Children and Adolescents, drafted in 2017, enhanced the procedure for the care of returned migrant children. Since 2021, the "Open Arms" plan has provided for specialized assistance for returning migrant children and adolescents from such time as they request specialized consular services in transit or destination countries.

Replies to the questions raised in paragraph 31

140. The Government of El Salvador is working to develop alternatives that will make it easier to address the underlying causes of irregular migration. In 2021, El Salvador allocated around \$3.4 billion of its own funds to education, health, security, agriculture and the economy in an effort to deal with human mobility head on and to prevent irregular migration. The Legislative Assembly approved the national budget for 2022 in the amount of \$7,967.7 million, of which 43.2 per cent, or 11.9 per cent of the gross domestic product, was allocated to health, education and social inclusion, and effective security.

141. The Office of the Deputy Minister for the Diaspora and Human Mobility is implementing the Strategy for the Prevention of Irregular Migration with the aim of mainstreaming the prevention of the phenomenon at the inter-institutional level, helping to strengthen endogenous capacities at the regional level to generate livelihoods as an alternative to irregular migration, and raising awareness of the need to prevent irregular migration at the national and local levels. In this regard, seminars are held to provide information on the risks of irregular migration and working groups are organized with the participation of local governments and stakeholders, and international organizations. In addition, support has been provided for the implementation of the "Think Twice" campaign of the International Organization for Migration, which focuses on the prevention of fraud and scams.

142. In 2019, the National Directorate for Restoring the Social Fabric was established to promote prevention and to work on restructuring the fabric of society at the local level through the implementation of programmes to motivate young people to lead healthy lives and to tackle irregular migration. These programmes include: "Jóvenes construyendo el futuro" (Young People Building the Future), urban centres for well-being and coexistence,

the “Yo Soy, Yo Puedo” (I Am, I Can) project aimed at young adult women, “Juventudes con éxito” (Young and Successful), the Comprehensive Emotional Intelligence Centre and the Integration Centre.

143. Moreover, as was mentioned in the replies to the questions raised in paragraph 7, special regulations are in force to combat the smuggling of persons and to dismantle smuggling networks. The reply to the question raised in paragraph 36 (g) provides statistics on convictions secured by the Special Prosecutor’s Unit for People Smuggling and Trafficking in 2019, 2020, 2021 and 2022.

144. As for why the border control strategies applied by the State include the use of the army, pursuant to Executive Decree No. 36 on Special Transitory Provisions for the Participation of the Armed Forces in Internal Peacekeeping Operations and the amendments thereto, the armed forces have no authority to guard the national border at authorized crossing points, as this falls within the remit of the Directorate General for Migration and Alien Affairs and the Directorate General of Customs. Any deployment of military personnel to these areas would be carried out in accordance with the law authorizing the provision of support to the National Civil Police in maintaining public security.

Replies to the questions raised in paragraph 32

145. El Salvador has the following mechanisms to protect Salvadoran and foreign migrant women and girls: the National Council on Trafficking in Persons, which is responsible for formulating the National Policy on Trafficking in Persons and the related plan of action. As was mentioned in the replies to the questions raised in paragraph 11, the Salvadoran Institute for the Advancement of Women has a call centre and a virtual support platform to provide counselling, assistance and guidance to women in transit.

146. For returning migrant women, the Institute employs a psychologist who is responsible for migrant care management and who identifies LGBTQI+ persons and women who are survivors of gender-based violence and provides them with comprehensive and specialized psychosocial support. Furthermore, women’s physical and emotional well-being are ensured thanks to a dedicated protection centre, which offers various kinds of assistance, including access to shelters for migrant women, refuges, relocation services and sheltered housing.

Replies to the questions raised in paragraph 33

147. The following measures, laws and policies have been adopted at the regional, bilateral and national levels to effectively combat trafficking in persons, particularly women and children:

- El Salvador, together with Costa Rica, Guatemala, Honduras, Mexico, Nicaragua, Panama, Belize and the Dominican Republic, is a member of the Regional Coalition to Combat Trafficking in Persons and Migrant Smuggling, whose purpose is to adopt and encourage strategic actions to combat trafficking in persons and migrant smuggling.
- At the national level, the Special Act against Trafficking in Persons, which was adopted in 2014 and entered into force in 2015, provides for the creation of special units within the National Civil Police and the Attorney General’s Office to investigate and prosecute cases of trafficking in persons in accordance with the competencies of the two institutions.

148. In addition, El Salvador has a national information system for this crime, an inter-institutional operational protocol designed to provide comprehensive and immediate care to trafficking victims and processes for the coordination of immediate response teams.

Reply to the question raised in paragraph 33 (a)

149. Inter-institutional efforts to deal with human trafficking have been strengthened through the National Council on Trafficking in Persons, which is responsible for preventing and combating the crime and providing comprehensive assistance to victims in El Salvador.

150. The Council has made available the following tools to strengthen inter-institutional coordination mechanisms:

- Guidelines on dealing with trafficking in persons for the foreign service of El Salvador.
- An inter-institutional coordination protocol for bringing trafficking cases before the courts.
- A procedural handbook for the repatriation of child and adolescent victims of trafficking in persons.
- A handbook on shelters for victims of trafficking in persons in El Salvador.
- An immigration officer's handbook on identifying and promptly assisting victims of the crime of human trafficking.
- A handbook on psychosocial care for victims of trafficking and vulnerable persons.
- A protocol for providing initial care to victims of trafficking in persons.

151. The Salvadoran Institute for the Advancement of Women is a member of the Council, which enables positive action to be taken to support women in situations of human trafficking.

Reply to the question raised in paragraph 33 (b)

152. Below are details of the training courses organized for national prosecutors by the School for Prosecutors in 2019, 2020, 2021 and 2022 on identifying and dealing with victims of human trafficking and people smuggling.

Table 1

Training courses on the identification of victims of trafficking and smuggling 2019–2022

<i>No.</i>	<i>Year</i>	<i>Title</i>	<i>Course dates</i>
1	2019	Workshop on trafficking in persons: serious and multiple violations of fundamental rights and freedoms	[21/02/2019–22/02/2019]
2	2019	Specialized course on the detection of trafficking in persons and migrant smuggling in El Salvador	[08/07/2019–09/07/2019]
3	2019	Specialized course on the detection of trafficking in persons and migrant smuggling in El Salvador	[29/07/2019–30/07/2019]
4	2019	Specialized course on the detection of trafficking in persons and migrant smuggling in El Salvador	[14/08/2019–15/08/2019]
5	2019	Operational training workshop on the analysis, investigation and prosecution of migrant smuggling	[19/08/2019–23/08/2019]
6	2019	Binational workshop on the investigation and prosecution of trafficking in persons and migrant smuggling	[21/08/2019–23/08/2019]

<i>No.</i>	<i>Year</i>	<i>Title</i>	<i>Course dates</i>
7	2019	Seventh INTERPOL Global Conference on Human Trafficking and Migrant Smuggling	[10/09/2019–11/09/2019]
8	2019	Specialized course on the detection of trafficking in persons and migrant smuggling in El Salvador	[26/11/2019–27/11/2019]
9	2019	Operational training workshop on the analysis, investigation and prosecution of migrant smuggling	[02/12/2019–06/12/2019]
10	2020	Online course on human trafficking	[11/05/2020–22/05/2020]
11	2020	Webinar: human trafficking and migrant smuggling as forms of organized crime	[23/07/2020–30/07/2020]
12	2020	Course on human trafficking	[17/08/2020–28/08/2020]
13	2021	Course on human trafficking	[15/02/2021–02/03/2021]
14	2021	Course on human trafficking	[12/04/2021–16/05/2021]
15	2021	Course on human trafficking	[05/07/2021–15/08/2021]
16	2021	Course on human trafficking	[18/10/2021–21/11/2021]
17	2022	Course on human trafficking	[24/01/2022–27/02/2022]
18	2022	Course on people smuggling	[01/02/2022–03/02/2022]
19	2022	Course on human trafficking	[02/05/2022–05/06/2022]
20	2022	Course on human trafficking and child exploitation	[07/06/2022–10/06/2022]

Source: Attorney General's Office, 2022.

Reply to the question raised in paragraph 33 (c)

153. Below are details of the number of defendants convicted of people smuggling and human trafficking at the national level between 2019 and July 2022, broken down by crime, range of years of imprisonment and year of conviction.

Table 2
Number of defendants convicted of people smuggling and human trafficking

<i>Crime</i>	<i>Years of imprisonment</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>Total</i>
People smuggling (art. 367-A of the Criminal Code)	Less than/equal to 3 years	10	22	20	7	59
	More than 3 and less than/equal to 5 years	88	23	59	45	215
	More than 5 and less than/equal to 10 years	7	6	15	3	31
	More than 10 and less than/equal to 15 years	1	0	11	0	12
	More than 20 and less than/equal to 30 years	0	0	0	1	1
	Not recorded	27	34	52	27	140
Total		133	85	157	83	458

<i>Crime</i>	<i>Years of imprisonment</i>	2019	2020	2021	2022	<i>Total</i>
Trafficking in persons (arts. 367-B and 367 of the Criminal Code, arts. 54-56 of the Special Act against Trafficking in Persons)	More than 3 and less than/equal to 5 years	0	1	0	0	1
	More than 5 and less than/equal to 10 years	1	0	3	0	4
	More than 10 and less than/equal to 15 years	2	0	4	0	6
	More than 15 and less than/equal to 20 years	1	0	1	0	2
	More than 20 and less than/equal to 30 years	1	0	2	1	4
	More than 40 and less than/equal to 50 years	0	0	1	0	1
	Not recorded	1	2	7	0	10
Total		6	3	18	1	28
Grand total		139	88	175	84	486

Source: Statistics Department – CATI, according to the database of the System of Information and Automated Management of Prosecution Proceedings on 7 August 2022.

Reply to the question raised in paragraph 33 (d)

154. As mentioned previously, El Salvador has a shelter for returnee migrant women and their children in need of protection. From August 2021 to July 2022, support was provided at the shelter to 35 women, 19 girls, 17 boys and 9 adolescents in the form of immediate accommodation to ensure that they received protection and care, the identification of the level of risk to which they were exposed, their needs and safe support networks, and internal relocation.

155. The Salvadoran Institute for the Advancement of Women operates a shelter where it provided protection to 123 people between January and December 2021. Medical, psychological, social, legal and educational assistance have been provided, and employment workshops have been held to enhance women’s skills and to promote their financial autonomy.

156. The Border Security Division of the National Civil Police is providing training on how to identify people smugglers and counterfeit documents using ultraviolet light and scanners.

157. Training has been given on, among other topics:

- The use of biometrics and fingerprinting for persons of interest.
- The use of drones.

Reply to the question raised in paragraph 33 (e)

158. Created in 2010, the forensic database of missing Salvadoran migrants provides a means of registering, documenting, locating, identifying and subsequently repatriating bodies or remains of Salvadoran migrants who die on the migratory route to Mexico and the United States. The creation of this mechanism has provided a new way of working for State agencies such as the Ministry of Foreign Affairs, the Salvadoran Committee of Families of Deceased and Missing Migrants, the Argentine Forensic Anthropology Team, which makes a scientific contribution, and the Office of the Human Rights Advocate. It is largely thanks to this

improved coordination that El Salvador now has an alternative way to identify, using scientific means, migrants who have died on the migratory route and whose bodies or remains have been found and who could not otherwise be identified or claimed, thus guaranteeing victims and their families access to truth and justice.

Reply to the question raised in paragraph 34

159. El Salvador, through the Attorney General's Office, reports that, in addition to the investigation and prosecution of criminal acts, the following measures and actions have been taken to prevent and punish the smuggling of migrants by organized crime groups:

- Comprehensive investigations aimed at dismantling transnational organized crime structures and confiscating all assets of illicit origin or destination.
- Use of specialized investigation techniques.
- International cooperation.
- Joint regional and international investigations.
- Non-criminalization of victims of people smuggling.
- Ongoing training on the investigation of people smuggling and the handling and identification of victims.
- Verification of travel documents and implementation of security measures.
- Border control.

Reply to the question raised in paragraph 35 (a)

160. The Constitution (1983); the Labour Code (1972); the Special Act on Migration and Alien Affairs and its implementing regulations (2019); the Special Act on the Protection and Advancement of Salvadoran Migrants and Their Families (amended, 2019); the Refugee Status Determination Act (Decree No. 918, August 2002); the implementing regulations of the Refugee Status Determination Act (Decree No. 79, August 2005); and the Special Act against Trafficking in Persons (2015).

Reply to the question raised in paragraph 35 (b)

161. The Ministry of Foreign Affairs was restructured in May 2021, leading to the establishment of the Office of the Deputy Minister for the Diaspora and Human Mobility, which strives to achieve safe, orderly and regular migration, address all stages of the migration cycle, promote cooperation with partner countries to manage seasonal employment opportunities abroad, improve the quality of assistance afforded to the diaspora and ensure respect for the human rights of migrants and their families, regardless of their migratory status.

162. Since 2019, when the Special Act on Migration and Alien Affairs came into force to replace the 1958 Migration Act, the Directorate General for Migration and Alien Affairs has updated its regulations and made operational changes, such as the decentralization of migration services.

Reply to the question raised in paragraph 35 (c)

163. The Cuscatlán Plan (2019–2024) specifically mandates the strengthening of institutional capacities to identify employment pathways abroad. In this regard:

- The Department for the Management of Labour Mobility Programmes was established.

- An agreement was signed between the Ministry of Foreign Affairs and the Ministry of Labour and Social Security.

Reply to the question raised in paragraph 35 (d)

164. The process of ratifying the International Labour Organization Domestic Workers Convention, 2011 (No. 189) was overseen by the Ministry of Labour and Social Security in conjunction with the Ministry of Foreign Affairs. The instrument was submitted to the Legislative Assembly in 2008.

Reply to the question raised in paragraph 35 (e)

165. El Salvador, in cooperation with its international partners, has carried out social and labour studies on foreign nationals living in the eastern part of the country, the area with the greatest influx of migrant workers. In 2019 and 2020, diagnostic assessments of migration and the social and labour profiles of foreign nationals were conducted in the municipalities of La Unión and Pasaquina with the aim of gathering valuable information on the labour supply, the profiles required and the demand for foreign migrant labour, and on the services, resources, challenges and opportunities in these municipalities in terms of the local management of migration. The studies made it possible to collect evidence and draw up recommendations for the care and protection of foreign migrants. In this regard, the municipalities of La Unión and Pasaquina are the first in the country to have municipal ordinances – evidence-based regulatory instruments – for the care and protection of migrants and their families. Such instruments enable the local management of migration to ensure that it is safe, orderly and regular.

166. In addition, the Ministry of Labour and Social Security, through the Labour Market Intelligence Unit, has prepared a document entitled “Análisis de mercado de potenciales países como destino de personas salvadoreñas para realizar trabajo temporal en el exterior” (Market analysis of potential destination countries for Salvadoran nationals to obtain temporary work abroad).¹¹

Reply to the question raised in paragraph 36 (a)

167. The Directorate General for Migration and Alien Affairs has data on seasonal workers and local border traffic into El Salvador. Furthermore, the Office of the Deputy Minister for the Diaspora and Human Mobility has compiled data from the official records of destination countries on the volume of migration flows from El Salvador and on persons seeking asylum in the country (see annex No. 5).

Reply to the question raised in paragraph 36 (b)

168. The Special Prosecutor’s Unit for People Smuggling and Trafficking of the Attorney General’s Office has no data on this issue, since there is no record of victims in this situation.

169. El Salvador provides assistance to persons deprived of their liberty abroad through its consular offices. However, there is no record of assistance being provided to persons detained for immigration reasons.

Reply to the question raised in paragraph 36 (c)

170. Since the entry into force of the Special Act on Migration and Alien Affairs in 2019, there have been no recorded cases of migrant workers and members of their families being expelled from the country.

¹¹ Available (in Spanish) at: <https://bit.ly/3CeLvSD>.

Reply to the question raised in paragraph 36 (d)

171. El Salvador does not separate children and adolescents from their parents. Below are data on children and adolescents cared for by the multidisciplinary team to support the Child and Adolescent Protection Boards within the Protection Department of the National Council for Children and Adolescents.

Table 3
Children and adolescents cared for by age and sex

<i>Year</i>	<i>Girls</i>	<i>Boys</i>	<i>Female adolescents</i>	<i>Male adolescents</i>	<i>Total</i>
2020	72	69	366	193	700
2021	904	917	532	930	3 283
2022	890	960	258	409	2 517

Source: National Council for Children and Adolescents, 2022.

Table 4
Data on the travelling conditions of children and adolescents

<i>Year</i>	<i>Accompanied</i>	<i>Unaccompanied</i>	<i>Total</i>
2020	94	606	700
2021	1 819	1 464	3 283
2022	1 939	578	2 517

Source: National Council for Children and Adolescents, 2022.

Reply to the question raised in paragraph 36 (e)

172. A total of 37,467 vaccines against COVID-19 have been administered to foreigners, of which 17,242 were first doses, 14,368 were second doses, 5,128 were third doses and 729 were fourth doses.

Reply to the question raised in paragraph 36 (f)

173. Over the past three years, El Salvador has received an average of \$6 million in remittances from its nationals abroad (see annex No. 6).

Reply to the question raised in paragraph 36 (g)

174. Statistics provided by the Special Prosecutor's Unit for People Smuggling and Trafficking.

Table 5
Number of convictions for people smuggling and trafficking 2019

<i>Crime</i>	<i>Number of convictions</i>
<i>2019</i>	
People smuggling	34
Human trafficking	4 convictions for sexual exploitation and forced marriage
Related crimes: fraud, rape, cybercrimes, deprivation of liberty, impersonation of a family member	5
Total	43

<i>Crime</i>	<i>Number of convictions</i>
2020	
People smuggling	23
Human trafficking	4
Related crimes: fraud, rape, cybercrimes, deprivation of liberty	2
Total	29
2021	
People smuggling	43
Human trafficking	14
Related crimes: incitement to prostitution	2
Fraud	1
Total	60
2022	
<i>1 January to 31 July</i>	
People smuggling	34
Human trafficking	1
Related crimes: rape and encouragement of sexual or erotic acts	1
Total	36

Source: The Attorney General's Office, 2022.

Reply to the question raised in paragraph 36 (h)

175. The Counsel General's Office has provided legal assistance to migrant workers nationwide by appointing public labour rights defenders to advise them on their rights and to initiate legal proceedings on their behalf to help ensure that their claims and those of their family members are upheld, while supporting them throughout the process (see annex No. 7).

176. To provide persons working abroad with proof of legal identity and documentation, the Ministry of Foreign Affairs has signed an agreement with the National Registry of Natural Persons to provide space for the setting up of help desks for the on-site issuance of single identity documents in diplomatic and consular offices, in order to identify Salvadorans residing abroad and to promote respect for their rights. The consular offices in the United States of America that have these help desks are: Houston and Dallas, Texas; Long Island, New York; Woodbridge, Virginia; Silver Spring, Maryland; and Elizabeth, New Jersey; in addition to the new office in Seville, Spain, which will offer this service to Salvadorans in Europe.

Reply to the question raised in paragraph 37

177. Through Legislative Decree No. 1164 of 19 February 2003, published in Official Gazette No. 49, Volume No. 358¹² of 13 March of the same year, El Salvador ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which established, for the purpose of monitoring its implementation, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, which is competent to examine the reports submitted by States on the measures they have adopted to give effect to the rights recognized in the Convention.

¹² Available (in Spanish) at: <https://www.diariooficial.gob.sv/seleccion/26137>.

178. Furthermore, on 31 August 2014, the Legislative Assembly¹³ made the declaration under article 76 of the Convention recognizing the competence of the Committee to receive and consider inter-State communications and the declaration under article 77 of the Convention recognizing the competence of the Committee to receive and consider individual communications. El Salvador remains deeply committed to protecting the rights of migrant workers and their families.

¹³ Decree No. 838, available (in Spanish) at:
https://www.asamblea.gob.sv/sites/default/files/documents/decretos/171117_073513499_archivo_documento_legislativo.pdf.