



# Convention on the Rights of the Child

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Committee on the Rights of the Child

## Seventh periodic report submitted by El Salvador under article 44 of the Convention, due in 2023\*, \*\*

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

\*\* The annexes to the present document may be accessed from the web page of the Committee.



## Introduction

1. The seventh report on the implementation of the Convention on the Rights of the Child was prepared in accordance with the reference documents pertaining to the Committee on the Rights of the Child ([CRC/C/58/Rev.2](#) and [HRI/GEN/2/Rev.6](#)), together with documents [HRI/MC/2006/3](#), [CRC/C/18](#) and [CRC/C/SLV/CO/5-6](#) and General Assembly resolution 68/268, all of which concern the preparation and submission of States' reports on the progress made in the implementation of international human rights instruments.
2. The National Council for Early Childhood, Children and Adolescents, in coordination with the Ministry of Foreign Affairs, the Office of the Presidential Commissioner for Human Rights and the Office of the First Lady, were responsible for preparing the present report, with the support of 23 State institutions<sup>1</sup> and the participation of 46 civil society organizations.<sup>2</sup>
3. In accordance with the Committee's recommendations, children and adolescents were also consulted using different methodologies adapted to their living conditions and evolving capacities. Together with civil society, a regional consultation and validation process was carried out with entities that provide different services to children and adolescents. A consultation was carried out with child and adolescent members of the Children's and Adolescents' Advisory Board, a participation mechanism with nationwide representation coordinated by the National Council for Early Childhood, Children and Adolescents. Consultations were also held with child and adolescent participants in the youth units of the Office of the Human Rights Advocate and of rights protection and social integration programmes of the National Council for Early Childhood, Children and Adolescents. A total of eight regional consultation workshops were held, with the participation of 157 children and adolescents, including a consultation group from the Kakawira people in the north-east of the country.
4. A national commission for follow-up to the recommendations of the Committee on the Rights of the Child was launched in 2019. The purpose of this mechanism, made up of public institutions responsible for safeguarding rights, was to follow up on the implementation of the Convention and actions to address the Committee's observations on the combined fifth and sixth periodic reports of El Salvador, submitted in 2018. The commission included seven specialized subcommissions for the different thematic areas addressed in the Committee's recommendations.

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<sup>1</sup> The institutions were: National Public Security Academy, National Commission on the Search for Children who Disappeared during the Internal Armed Conflict, National Council of the Judiciary, National Council for Food and Nutrition Security, Ministry of Local Development, Ministry of Health, National Institute for Youth, Salvadoran Institute for the Advancement of Women, Ministry of Public Works and Transport, Salvadoran Institute for the Rehabilitation of Persons with Disabilities, Institute on Access to Public Information, Ministry of Culture, Ministry of the Interior and Territorial Development, Ministry of Education, Science and Technology, Ministry of Justice and Public Security, Office of the Human Rights Advocate, Counsel General's Office, National Civil Police, Directorate General of Prisons, Ministry of Finance, Ministry of Labour and Social Security, National Registry of Natural Persons, Executive Technical Unit of the Justice Sector.

<sup>2</sup> The participating organizations were: Asociación Ágape, SOS Children's Villages, Asociación Madre de los Huérfanos, Asociación Salvadoreña Pro-Salud Rural (ASAPROSAR), Ayuda en Acción, Glasswing, Escuela Hogar Nuestros Pequeños Hermanos, Fundación la Casa de Mi Padre, Fundación la Niñez Primero, FUNDANEHM, Fundación Pro Educación de El Salvador (FUNPRES), Fundación Salvador del Mundo (FUSALMO), Fundación Sus Hijos, Save the Children, Whole Child International (WCI), Centro de Apoyo de Lactancia Materna (CALMA), CESAL, Centros Infantiles de Desarrollo (CINDE), Envisión, Asociación Intersectorial para el Desarrollo Económico y el Progreso Social (CIDE), Movimiento Salvadoreño de Mujeres, Asociación Niños Cristianos del Mundo, Asociación Pro Casa Maternal, ASAPREM, Empresa Transmisora de El Salvador S.A. de C.V. (ETESAL), FUNDESO, ÉXODO, EDUCO, FECAE, Asociación Nuevo Amanecer de El Salvador (ANADES), Proyecto RED, World Vision, Concilio Internacional Una Cita con Dios, Convoy of Hope, Fundación Casita de Paz, Oxfam, Fundación Sí a la Vida, Fundación Silencio (FUNDASIL), Vínculo de Amor, Fundación Viva Juntos por la Niñez, Healing Love Ministries, Mission to El Salvador, Plan International, OrphanHelpers, Médecins du Monde and Contextos.

5. Since 2019, El Salvador has carried out reforms of the legal, institutional and social framework to advance more efficiently and directly towards fully ensuring the human rights of children and adolescents. All these efforts have been based on the Government's commitment to early childhood, children and adolescents, which in turn is grounded in the principle of the best interests of the child and the national objective of comprehensive development with security, justice, innovation and democracy.

6. The Government, within its competencies and as part of its firm commitment to guaranteeing human rights through cooperation with the various human rights mechanisms, pays due attention to the Committee's recommendations, which serve as a guide for the State and are reviewed and evaluated in good faith, in accordance with the national legal framework and international parameters.

## **I. General framework for the implementation of the Convention**

### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

#### **Legislative measures**

7. The Child and Adolescent Protection Act,<sup>3</sup> in force until December 2022, provided for the domestic application of fundamental principles regarding children's rights, such as the best interests of the child, absolute priority, equity and non-discrimination, and recognized a core set of rights and guarantees. It paved the way for a coordinated nationwide system for the protection of children and adolescents, made up of State institutions, civil society organizations and other entities involved in safeguarding rights.

8. The State, based on the new strategic vision of the Government of President Nayib Bukele and First Lady Gabriela de Bukele, has shown its commitment to children by carrying out an unprecedented process of legislative, institutional and public policy transformation, empowering children as key players and focusing policies on strengthening their development from early childhood onward, in order to prevent poverty, violence, inequality and lack of opportunity. Legislative innovation has been based *inter alia* on the Committee's recommendations concerning the implementation of the previous legislation (Child and Adolescent Protection Act), taking advantage of suitable areas in which to implement a new law that meets high international standards.

9. In 2021, the Caring Births Act for Decent Childbirth and Loving and Sensitive Care for Newborn Children<sup>4</sup> was adopted. It establishes the principles and general organizational standards for a new model of biopsychosocial care focused on women, babies and their families to enable them to access quality health services starting at the stage prior to conception and throughout pregnancy, childbirth and the postpartum period, as well as access to comprehensive services for children from gestation to birth and during the newborn stage. This law transforms comprehensive care for the human person into a right.

10. Also in 2021, the Special Act on Adoption was amended to make adoption processes more efficient in accordance with the principles of due process, procedural economy and best interests. The amendments enable children to exercise their right to live in a family setting, in families duly found to be capable of providing care and protection, with timely monitoring of the situation of their rights and appropriate oversight mechanisms.

<sup>3</sup> Government of El Salvador, Child and Adolescent Protection Act, 2009. Available at <https://escuela.fgr.gob.sv/wp-content/uploads/Leyes/Leyes-2/LEY-DE-PROTECCION-INTEGRAL-DE-LA-NI%C3%91EZ-Y-ADOLESCENCIA.pdf>.

<sup>4</sup> Government of El Salvador, Caring Births Act for Decent Childbirth and Loving and Sensitive Care for Newborn Children (2021). Available at [https://crecerjuntos.gob.sv/dist/documents/Ley\\_nacer\\_con\\_carino.pdf](https://crecerjuntos.gob.sv/dist/documents/Ley_nacer_con_carino.pdf).

11. In June 2022, the Growing Together Act for the Protection of Early Childhood, Children and Adolescents<sup>5</sup> was adopted. It came into effect as from January 2023. The Act furthers the country's progress towards positive transformation, since it is based on the needs of children and adolescents, takes a preventive approach and deploys a new institutional framework with more efficient competencies, obligations and interlinkages, thus reflecting the recommendations made by this Committee. In addition to strengthening the National System of Comprehensive Protection in Early Childhood, Childhood and Adolescence, the law recognizes children's multidimensionality, agency and status as rights holders in accordance with their stage of development (see annex 1).

12. In 2022, the Loving Nutrition Act for the Promotion and Protection of and Support for Breastfeeding<sup>6</sup> was adopted to ensure the right of all children to breastfeed through systematic actions to provide suitable environments and conditions for promoting, protecting and supporting breastfeeding for the first 1,000 days of life, thus promoting safe and sufficient nutrition for infants.

13. The purpose of all these laws and legal adjustments has been to standardize the legal framework for children and to make it more consistent, based on the best interests of children and adolescents. In addition, they have all involved a process of consultation with different sectors of the population: professionals, members of the national protection system, justice administrators, parents, community leaders and, in particular, children and adolescents.<sup>7</sup>

14. In the consultations held with civil society organizations, 89 per cent<sup>8</sup> indicated that they regarded the Growing Together Act as a substantial advancement in the implementation of the Convention in the country, with improvements in the legal and institutional framework for the comprehensive protection of children and adolescents.

### **New institutional framework**

15. With the entry into force of the Growing Together Act and related provisions, a new institutional framework was created in order to implement the legal framework more efficiently, thus ensuring the rights of children and adolescents. The new institutional framework is geared towards meeting the national commitment to children from early childhood onward, improving the efficiency of the services provided to all children and adolescents and creating conditions for better coordination among the institutions that make up the National Protection System.

16. In relation to the recommendations in paragraphs 7 and 9 of the Committee's concluding observations, with the entry into force of the Growing Together Act, the Salvadoran Institute for Comprehensive Child and Adolescent Development and the National Council for Children and Adolescents were merged into a new institution, the National Council for Early Childhood, Children and Adolescents, whose aim is to lead the mainstreaming of issues concerning children and adolescents in public policies, protect and defend the rights of children and adolescents, provide specialized care through projects and programmes, and coordinate the National System of Comprehensive Protection.

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<sup>5</sup> Government of El Salvador, Growing Together Act for the Protection of Early Childhood, Children and Adolescents, 2022. Available at <https://www.asamblea.gob.sv/sites/default/files/documents/decretos/ACAFD675-FAA0-40FB-916F-A51C79A22F5E.pdf>.

<sup>6</sup> Government of El Salvador, Loving Nutrition Act for the Promotion and Protection of and Support for Breastfeeding, 2022. Available at <https://www.asamblea.gob.sv/sites/default/files/documents/dictamenes/B42AB89B-AFDE-499B-B9D5-6A87663E207D.pdf>.

<sup>7</sup> The Growing Together Act was formulated after a process of consultation with 300 people over a two-month period. Various sectors participated, including children and adolescents, and representatives of businesses, private schools, schools, public institutions, civil society organizations, cooperation agencies and users of protection boards, among others.

<sup>8</sup> National Council for Early Childhood, Children and Adolescents. Report on consultations with civil society organizations in connection with the seventh country report to the Committee on the Rights of the Child. 2023.

17. The new law strengthened this System, which consists of a coordinated and interlinked set of 16 public and private bodies, entities and institutions whose primary objective is to ensure the full enjoyment of rights in early childhood, childhood and adolescence. To this end, it makes use of preventive measures such as policies, plans, programmes and services, among others, together with reactive measures, which are specific interventions in situations where the rights of children and adolescents are threatened or violated (see annex 2). The System involves new State and civil society actors in the new institutional framework, which includes public institutions, civil society organizations, local rights committees, child advocacy services, protection boards and the judiciary, among others.

18. In addition, the Growing Together Institute was established as the lead institution for early childhood. It is responsible for the coordination and provision of comprehensive care services for children in early childhood, family strengthening measures for the generation of parenting skills and the establishment of strategic partnerships for the comprehensive development of this population. These functions are consistent with the Committee's recommendations in paragraphs 43 and 44.

19. Pursuant to the Caring Births Act, the Ministry of Health established the Directorate for Comprehensive Maternal, Perinatal and Children's Services, attached to the Ministerial Office, which centralizes the monitoring and application of health guidelines on early childhood and maternal care, with the aim of positioning the issue at the country level and gradually transforming the model of care for mothers and children. In line with the Loving Nutrition Act, the Ministry of Health has strengthened the Nutrition and Food Security Unit by establishing the Office for the Promotion and Protection of and Support for Breastfeeding and the Food Security Office.

20. The amendments to the Special Act on Adoption gave autonomy to the lead authority in this area, the Adoptions Office, which was previously attached to the Counsel General's Office. This has enhanced specialization and efficiency in the adoption process. Furthermore, the entity's autonomy was accompanied by a significant increase in its budget and available resources, in accordance with the Committee's recommendation in paragraph 32. Between 2019 and 2022, the Adoptions Office budget increased by a cumulative total of 16 per cent (see annex 3).

### **Independent monitoring**

21. The Office of the Human Rights Advocate is an independent and autonomous institution with a mandate to ensure that human rights are respected and protected. Until 2022, the National Council for Children and Adolescents responded in a timely manner to all information requests from the Human Rights Advocate on the situation of children's rights in the country. The Salvadoran Institute for Comprehensive Child and Adolescent Development allowed the human rights situation of children and adolescents in protection centres, social rehabilitation centres and juvenile protection centres to be inspected at all times, in line with the Committee's recommendation in paragraph 10, regarding the monitoring activities of the Human Rights Advocate.

22. To carry out its human rights oversight work, the Office of the Human Rights Advocate has had an average annual budget of \$10.62 million. Over the past four years alone, the budget of this institution has increased by a cumulative total of 25.5 per cent (see annex 3). The Human Rights Advocate has a national presence and mandate and is assisted by a deputy advocate specializing in children, adolescents and youth.

### **Resource allocation for child protection**

23. Until 2022, the Salvadoran Institute for Comprehensive Child and Adolescent Development and the National Council for Children and Adolescents were the two lead authorities for children and adolescents. Their combined budget amounted to \$26.5 million in 2018; by 2022 it had risen to \$43 million, a 62.3 per cent increase. In 2023, with the entry into force of the Growing Together Act, lawmakers approved a budget of \$39.4 million for the National Council for Early Childhood, Children and Adolescents, plus a \$10.4 million budget for the Growing Together Institute (see annex 3); this is in line with the Committee's

recommendations in paragraphs 5 and 6, on increasing the allocation of resources for the efficient operation of the National System of Comprehensive Protection.

24. Public investment in children and adolescents rose by 31.04 per cent between 2017 and 2021, from \$1,824.30 million in 2017 to \$2,390.60 million in 2021.<sup>9</sup> These estimates include direct and indirect investment in children and adolescents. Indirect investment consists of State efforts to provide goods and services to households to ensure the rights of all members of the family. Significant increases were also seen in the budgetary resources allocated to other institutions that safeguard rights, such as the Ministry of Education, Science and Technology, the Ministry of Health and the Ministry of Justice and Public Security. Between 2018 and 2022, the budgets of these ministries increased by 56.5 per cent, 74.5 per cent and 43.3 per cent, respectively (see annex 3), resulting in the improvement of their services and the expansion of their coverage. With the entry into force of the Growing Together Act, the obligation to provide annual increases in investment for the comprehensive protection of early childhood, childhood and adolescence was established, as shown by the fact that the education budget amounted to \$1,502,488,109 in 2023, representing a \$30,260,543 increase over the 2022 budget. In the area of healthcare, the 2023 budget exceeded \$1,131,126,090, representing an increase of \$45,166,881 over the 2022 budget.

25. The significant investments in education, health, security and protection of rights have led to improvements in several country indicators in each of these areas, including the fact that El Salvador has been removed from specialized international measurements of public safety and dangerousness<sup>10</sup> due to a steady decline in criminal acts, which has had the effect of improving the welfare of children and adolescents.

26. Some 66 per cent of civil society organizations stated that investment in early childhood, childhood and adolescence had improved in recent years in the different areas of social policy.<sup>11</sup> However, 79 per cent indicated that the lack of budgetary resources was a factor limiting the implementation of public policy measures consistent with the Convention.<sup>12</sup> Accordingly, they recommended increasing investment in direct service programmes and in measures to mitigate the effects of poverty in early childhood, childhood and adolescence, through the economic empowerment of households.

### **Cooperation with civil society**

27. The State promotes the participation of citizens and non-governmental organizations, creating spaces for coordination to generate strategic partnerships and enhance the impact of policy actions, programmes and agreements. Various institutions have carried out projects and interventions in coordination with civil society organizations to benefit children, adolescents and their families. Between 2018 and 2022, the Ministry of Health reported 114 projects coordinated with civil society, the Ministry of Education, Science and Technology reported 18, the Salvadoran Institute for the Advancement of Women reported 2, the Office of the Human Rights Advocate reported 6, the Counsel General's Office reported 2, the Salvadoran Institute for Comprehensive Child and Adolescent Development reported 29 and the National Council for Children and Adolescents reported 2.

28. In response to the Committee's recommendations in paragraphs 9, 10, 23 and 53, these same institutions have carried out processes in coordination with United Nations agencies. This has strengthened technical capacity, efficient resource management, the standardization of processes in line with international parameters and the national coordination of various institutional actors, among other outcomes. As a result of these processes, the international cooperation received from United Nations agencies has been efficiently channelled into

<sup>9</sup> National Council for Children and Adolescents, report on investment in children and adolescents in El Salvador, 2022.

<sup>10</sup> Consejo Ciudadano para la Seguridad Pública y la Justicia Penal, "Metodología del ranking (2020) de las 50 ciudades más violentas del mundo", 2021. Available at [https://geoenlace.net/seguridadjusticiaypaz/archivo/d86357\\_e0cc9ce8f0.pdf](https://geoenlace.net/seguridadjusticiaypaz/archivo/d86357_e0cc9ce8f0.pdf).

<sup>11</sup> National Council for Early Childhood, Children and Adolescents, report on consultations with civil society organizations in connection with the seventh country report to the Committee on the Rights of the Child, 2023.

<sup>12</sup> Ibid.

initiatives for children and adolescents, involving funds amounting to \$3,076,061.41 between 2018 and 2022.<sup>13</sup>

29. Until 2022, under the Child and Adolescent Protection Act, the Shared Care Network operated as a coordination mechanism made up of public institutions and civil society organizations working with children and adolescents. The aim was to improve the coverage of services, avoid duplication of effort and efficiently further the protection of rights. Starting in 2023, the Growing Together Act rebalanced the role of the organizations and the principle of shared responsibility and created a network of care organizations, which has taken on the objectives of the Shared Care Network with new parameters for the network's efficient coordination, such as the leadership, coordination and supervisory role of the National Council for Early Childhood, Children and Adolescents in its capacity as the lead authority for early childhood, childhood and adolescence.

### **Data collection**

30. Most of the institutions that generate information have strengthened their systems for recording, managing, storing and disseminating data on actions to ensure the rights of children and adolescents. The Ministry of Health, the Ministry of Education, Science and Technology and the Ministry of Justice and Public Security have made significant progress in aligning indicators and administrative records with international statistical standards; they have also strengthened the information technology infrastructure to support their statistical records.

31. The Directorate General of Statistics and Censuses has become the National Office of Statistics and Censuses, attached to the Central Reserve Bank. The management of the country's official statistical data is centralized in the Office. Each year, it carries out the multipurpose household survey, an instrument that provides demographic, health, employment and education data to inform high-level decision-making, with emphasis on the needs of the population. The survey collects information on households and individuals, including children and adolescents.

32. Specifically in relation to health, the Ministry of Health periodically conducts the national health survey, which collects information on health conditions, food, nutrition, violence, protection and development of the population, including children and adolescents. The survey includes specific questions on early childhood. In 2022, the Ministry of Health carried out the first national mental health survey, a specific instrument for collecting information on the mental health of the population, with aspects that are relevant to children and adolescents, such as the prevalence of stress, anxiety and depression in response to certain environmental factors. Both surveys are specialized and complementary instruments in the field of health, with nationwide scope. As children and adolescents are significantly represented in the data collected, the surveys provide evidence to support plans, programmes and other public and private interventions.

33. In 2019, the Ministry of Justice and Public Security, together with IOM and the Centers for Disease Control and Prevention of the United States of America (CDC), presented the results of the first survey on violence against children and adolescents in El Salvador, the purpose of which was to estimate the prevalence of violence against children (physical, sexual and emotional) and violence in the 12 months prior to the survey among adolescents (aged 13 to 17 years) and young adults (aged 18 to 24 years). The Ministry also produces an annual report on acts of violence against women, the most recent edition of which was published in 2022.<sup>14</sup> The National Office of Statistics and Censuses has a specialized survey on violence against women, whose target population is women 15 years of age and older.

<sup>13</sup> This includes only processes of the Salvadoran Institute for Comprehensive Child and Adolescent Development and the National Council for Children and Adolescents with agencies such as the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

<sup>14</sup> Ministry of Justice and Public Security, annual report on incidents, status and situation of violence against women, 2022. Available at <https://www.seguridad.gob.sv/dia/download/informe-semestral-vcm-2022/>.

The survey collects information on whether the respondent has experienced violence at any point in her life. This survey was last conducted in 2019.<sup>15</sup>

34. The National Council for Early Childhood, Children and Adolescents, in response to the Committee's recommendation in paragraph 9, strengthened the Child and Adolescent Information System, through which the data systems of various institutions are interconnected to centralize, on a single interactive platform, information on the situation concerning the protection of children's and adolescents' rights in the country, including demographic information and information on education, health, security and access to justice, care in specialized programmes and other areas. The Child and Adolescent Information System website is publicly available for consultation by the different ministries, autonomous institutions, civil society organizations, children and adolescents, and the general public.<sup>16</sup>

### **Dissemination, awareness-raising and training**

35. Between 2018 and 2022, the Salvadoran Institute for Comprehensive Child and Adolescent Development and the National Council for Children and Adolescents carried out 108 awareness-raising and training initiatives for members of the protection system, parents and caregivers, teachers, justice sector personnel, law enforcement personnel and adolescents. The population covered by these institutions in that time frame was 3,776 people, of whom 66.9 per cent were women (see annex 9). The National Institute for Youth carried out training and awareness-raising activities on human rights issues and dissemination of the General Act on Young People, which covers the population between 15 and 29 years of age. The Salvadoran Institute for the Advancement of Women delivered courses on comprehensive healthcare for children and adolescents and other training and awareness-raising activities on human rights, reaching 1,063 people, including girls, adolescents, local women leaders, members of intersectoral committees and justice officials (see annex 10).

36. In late 2022 and early 2023, a process of mass awareness-raising and training on the new legal framework of the Growing Together Act was carried out. This process was led by the Office of the President and the National Council for Children and Adolescents. It took place through a virtual platform with support and technical assistance from UNICEF, included three phases and reached 94,900 people. In this process, training was provided to public and private sector personnel involved in the care of children and adolescents: healthcare workers, teachers, justice officials, protection system staff and personnel of civil society organizations, among others.

37. In 2020, in response to the Committee's recommendation in paragraph 14, the Shared Care Network held regional forums to raise awareness of the status of implementation of the best interests of the child, with the participation of members of the national protection system, justice sector personnel, members of local rights committees and other decision-makers and service providers. Four regional forums were held, reaching 628 people (see annex 11).

38. The National Council of the Judiciary delivered 30 specialized training sessions on the rights of children and adolescents, reaching more than 150 judges, court personnel and independent lawyers, of whom 63.1 per cent were women (see annex 12). The Counsel General's Office carried out 108 training processes for its personnel, focusing on children, adolescents, gender and capacity-building for the protection of rights.

39. The Salvadoran Institute for Comprehensive Child and Adolescent Development and the National Council for Children and Adolescents reported, for the period 2018–2022, 119 actions to raise children's and adolescents' awareness of their rights, reaching 1,217 people (see annex 13). Nevertheless, in the consultation workshops with children and adolescents, the participants' difficulty in identifying, recognizing and naming their rights under current legislation was documented.

<sup>15</sup> Ministry of Justice and Public Security, annual report on violence against women, 2019. Available at <https://www.seguridad.gob.sv/dia/download/informe-anual-vcm-2019/>.

<sup>16</sup> Observatorio de Derechos de Primera Infancia, Niñez y Adolescencia en El Salvador por CONAPINA, Child and Adolescent Information System: <https://sites.google.com/view/sinaesdashboard>.

40. Civil society organizations stated that the awareness-raising and training process on the Growing Together Act, under way since late 2022, was one of the good practices identified in terms of capacity-building for members of the protection system. They also pointed out that it is a challenge for the State to expand such training and further develop human talent to ensure specialized care in early childhood, childhood and adolescence.

41. In February 2022, the Caring Births Act Situation Room was created to analyse information on the situation of maternal and child health, with the participation of United Nations entities and public institutions, so that evidence-based, coordinated interventions can be developed for the provision of specialized care to mothers and children.

## B. Definition of the child (art. 1)

### Definitions relating to childhood and adolescence

42. The Government reports that the legal personality of children is recognized from the moment of conception, in accordance with article 1 of the Constitution. This definition guides the formulation of other legal and policy provisions on the conceptualization and protection of children before and after birth.

43. Article 4 of the Growing Together Act establishes that children and adolescents are the population group consisting of all persons up to the age of 18. The Act defines childhood as the period between 0 and 12 years of age and adolescence as the period between 12 and 18 years of age. The Act also takes the innovative approach of establishing the legal recognition of early childhood, defined as the stage of childhood from gestation up to 8 years of age. The law also recognizes the right of the unborn to protection (art. 18), which implies protection of the mother.

44. As of 2022, there were 1,740,608 people under 18 years of age in El Salvador, of whom 48.1 per cent were girls and adolescent girls and 51.9 per cent were boys and adolescent boys. Some 42.4 per cent were in the early childhood stage, 23.3 per cent in the childhood stage and 34.3 per cent in the adolescent stage (see annex 14).

### Minimum age for marriage

45. In El Salvador, marriage with or between persons under 18 years of age has been prohibited, without exceptions, since 2017, ever since an amendment to the Family Code eliminated the exception that had allowed it when there was a child in common or the adolescent girl was pregnant.

46. This measure, adopted six years ago, is meant to eliminate any possibility of violence against girls and adolescent girls.<sup>17</sup> To date, one challenge with respect to this phenomenon has been the effort to discourage informal unions between adolescents or between an adult man and an adolescent girl. There was a 37 per cent reduction in such unions between 2018, when 17,746 adolescents were reported to be in informal unions, and 2022, when the figure was reported to have fallen to 11,190.<sup>18</sup>

<sup>17</sup> Government of El Salvador, replies of El Salvador to the Office of the United Nations High Commissioner for Human Rights (OHCHR) questionnaire on progress made towards ending child, early and forced marriage, including in the context of the coronavirus disease (COVID-19) pandemic, February 2022. Available at [https://www.ohchr.org/sites/default/files/2022-06/submission-hc-report-child-marriage-states-El\\_Salvador.docx#:~:text=En%20El%20Salvador%2C%20el%20matrimonio,matrimonio%20en%20los%20a%C3%B1os](https://www.ohchr.org/sites/default/files/2022-06/submission-hc-report-child-marriage-states-El_Salvador.docx#:~:text=En%20El%20Salvador%2C%20el%20matrimonio,matrimonio%20en%20los%20a%C3%B1os).

<sup>18</sup> Data according to the multipurpose household survey: <https://www.bcr.gob.sv/documental/Inicio/vista/0c0aa5ade233aa9a7345923e9329407a.pdf>.

## C. General principles (arts. 2, 3, 6 and 12)

### Non-discrimination

47. On the basis of the principle of equality, non-discrimination and equity (art. 11 of the Growing Together Act), all public policy instruments on early childhood, children and adolescents establish that services and treatment are to be provided universally to the target populations, without prejudice to the implementation of affirmative actions to overcome historical gaps in the case of groups in conditions of special vulnerability.

48. As a demonstration of this approach, three specialized plans have been developed for the care of children and adolescents in conditions of vulnerability: the “Open Arms” Plan for the Comprehensive Care and Protection of Returnee Children and Adolescents and Their Families, 2021–2023, the “Safe Childhood” Plan for the Care of Children and Adolescents with Connections with the Street and the “Rights for All” Plan for the Comprehensive Protection of Children and Adolescents with a Parent or Guardian Deprived of Liberty.

### Best interests of the child

49. In relation to the Committee’s recommendation in paragraph 14, consideration of the best interests of the child or adolescent is mandatory as a right and a principle of interpretation and application. It is integrated into all provisions and into judicial, administrative and legislative decision-making, as well as the formulation, implementation and evaluation of public policies and other instruments of public administration. This principle is also provided for in special areas of protection, particularly in the case of children and adolescents belonging to migrant populations and in street situations.

### Right to life, survival and development

50. In relation to survival and development, the Growing Together Act recognizes the rights to growth and full development, including the right to life, the right to protection of the unborn, the right to a life of dignity and the right to health, among others; the Caring Births Act, meanwhile, recognizes the right to breastfeeding from the first hour of life. This gives rise to a set of interventions to facilitate access to essential services for the survival of children and adolescents.

51. Notable in this regard is the Loving Nutrition Act, which laid the groundwork for promoting, protecting, supporting and prioritizing breastfeeding in the first 1,000 days of life and for promoting health, safe and sufficient nutrition, optimal infant growth and development, protection and stimulation of early bonding, prevention of violence and reduction of child morbidity and mortality, given that successful breastfeeding has multiple benefits for a country. Thus, El Salvador has a healthier population with better learning skills and is restoring the social fabric by creating strong families through emotional ties.

52. These innovative provisions have had a positive impact on the reduction of maternal mortality and the reduction of causes of death directly related to pregnancy; 8 out of 10 newborns initiate breastfeeding in the first hour of life, and chronic malnutrition in children under 5 years of age has decreased from 13.6 per cent to 10 per cent.<sup>19</sup> A national nutrition strategy has been developed to increase reach at the community level.

53. Pursuant to article 27 of the Constitution, in El Salvador the death penalty is not applied to any person, including minors under 18 years of age (except in cases provided for by military law during a state of international war).

### Respect for the views of the child

54. In relation to the recommendation in paragraph 17, children and adolescents were consulted in the development of the Growing Together Act. The Act includes articles recognizing a range of “participation rights” that enable them to express their opinions, be taken into account and participate meaningfully in far-reaching decisions in society,

<sup>19</sup> Based on data from the 2021 national health survey, available at <https://drive.google.com/file/d/1dRmMiue1LTU3L6O0JES6pQlaDWQzr0h/view>.

according to their interests and expectations, thus ensuring the progressive exercise of their citizenship in a context of respect, tolerance, civic harmony and democracy.

55. The Government wishes to highlight the Children's and Adolescents' Advisory Board, a standing body for the representation of children and adolescents from all over the country. It is a consultative entity that generates proposals on issues that affect and/or are of interest to children and adolescents. At the municipal level, as of 2022, there were six advisory boards in which 95 children and adolescents participated. Similarly, the National Institute for Youth has carried out consultations with adolescents and young people for the development of municipal youth policies.

## **II. Rights of children and adolescents**

### **A. Civil rights and freedoms (arts. 7, 8, 13–17, 28 (2), 37 (a) and 39)**

#### **Birth registration, name and nationality**

56. The State of El Salvador recognizes the right of every child to all the elements that make up his or her personal identity, in particular his or her name and nationality (Growing Together Act, art. 40). The State is legally required to establish programmes that protect the identity of children and adolescents.

57. The National Registry of Natural Persons organizes identity fairs each year in coordination with the municipal authorities of all 262 districts in the country to bring identity and identification services closer to the population and to expedite related procedures nationwide. The Registry has also taken measures to promote the registration of the children of women deprived of liberty, reaching 82 children between 2019 and 2021. The Counsel General's Office has taken steps in coordination with the Directorate General of Prisons to register and identify children with relatives deprived of liberty and has held identity fairs that reached 662 children and adolescents.

58. The Ministry of Health and the National Office of Statistics and Censuses entered into an agreement allowing for the exchange of recorded data on children born in the public hospital network. This information is also shared with the municipal authorities to facilitate the registration of children according to their place of residence.

59. In line with the recommendation in paragraph 18, the Growing Together Act requires healthcare facilities to keep a record of all births that occur within or outside their premises and to carry out the legal procedures necessary to ensure that every birth is entered into the Family Status Register, in coordination with the municipal authorities and under the supervision of the National Registry of Natural Persons. The latter is required to issue technical guidance on the integration of birth registers. According to the Growing Together Act, the State may register newborns on its own initiative when neither a parent nor another family member is present. Between 2018 and 2022, the National Registry of Natural Persons registered 422,184 births, of which only 2,256 were registered late (see annexes 15 and 16).

60. Moreover, in line with the aforementioned recommendation, article 44 of the Growing Together Act provides that all children and adolescents have the right to identification and must therefore possess a document attesting to their identity and an identification number that enables efficient access to all State services. The National Registry of Natural Persons, in coordination with the Ministry of Health and the municipal authorities, has begun assigning unique identity numbers, which facilitate access to all State services for children and adolescents.

#### **Preservation of identity**

61. To safeguard the identity of children and adolescents who were victims of enforced disappearance in the context of the armed conflict, and in line with the recommendation in paragraph 56, the National Commission on the Search for Children who Disappeared during the Internal Armed Conflict, established in 2010, has been technically strengthened through

six specialized training programmes and coordination with regional mechanisms for extrajudicial searches, bringing it together with its counterparts from Mexico, Peru and Chile.

62. As of March 2023, the Commission had resolved 135 cases. In 48 of them, families were reunited, either in person or virtually. By that same date, the Commission had requested 27 exhumations before prosecutorial and judicial authorities, resulting in the recovery of approximately 43 sets of remains belonging to children, adolescents and adults. These remains were identified through DNA analysis or anthropological examinations and subsequently returned to their families. Two of those cases are being monitored by the Inter-American Court of Human Rights.<sup>20</sup> Identification efforts are carried out in cooperation with the Argentine Forensic Anthropology Team, the Guatemalan Forensic Anthropology Foundation and the Institute of Forensic Medicine. To date, more than 300 samples have been collected from persons who disappeared during the armed conflict and from their relatives.

63. The Commission has reviewed roughly 3,000 files from the archives of the Supreme Court of Justice that date back to the period of the armed conflict, helping to advance the resolution of pending cases. In close coordination with civil society and academic institutions, it has gathered more than 2,000 reports concerning children, adolescents and adults who disappeared or were killed during the armed conflict. The commissions are now working to establish a unified register of all persons in these categories who disappeared during the armed conflict.

64. As part of broader efforts to address enforced disappearances, the Commission and the Ministry of Culture have entered into cooperation agreements to promote historical memory. In this context, the Commission has produced a short documentary, a theatrical production and five travelling photographic exhibitions, which have been presented in schools throughout the country.

### **Right to freedom of expression**

65. The Growing Together Act recognizes freedom of expression as a right that children and adolescents may exercise individually or collectively, with support and encouragement from the State, civil society and their families, and with due consideration for their evolving capacities (art. 99), through meaningful participation in a range of settings.

66. To gather the views of children and adolescents, the National Council for Children and Adolescents promoted the Children's and Adolescents' Advisory Board; the Office of the Human Rights Advocate strengthened its youth units; and the Ministry of Education, Science and Technology, together with the National Institute for Youth, promoted student councils, which are present nationwide. These mechanisms reported participation by 47, 150 and 288 children and adolescents, respectively, in 2023. There are also municipal-level advisory boards. By 2022, six such boards had been established, involving 95 participating children and adolescents.

67. Through the Institute on Access to Public Information, and within the framework of the Access to Public Information Act, youth workshops have been held on personal data protection; public officials have received training to improve access to information for children and adolescents with disabilities; inter-agency discussions have been organized on best practices for ensuring access to information for vulnerable groups; and talks and dialogues have been conducted with adolescents on access to public information and transparency.

68. The legal and institutional reforms introduced through the Growing Together Act and related laws were developed through a systematic, wide-ranging consultation process involving multiple stakeholders, including children and adolescents. A total of 60 children participated in the consultations for the Act.

### **Freedom of thought, conscience and religion**

69. Freedom of thought, conscience and religion is guaranteed under article 6 of the Constitution; the Growing Together Act requires the State to protect and promote these

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<sup>20</sup> Case of the *Massacres of El Mozote and Nearby Places* and case of *Rochac Hernández et al.*

freedoms in order to strengthen democracy and support a harmonious civic life. The principle of secularism in public action is upheld by ensuring that all policies and programmes for children and adolescents are grounded in technical evidence and by promoting scientific education and civic values as foundations for a culture of peace.

70. Article 351 of the Family Code provides that no child or adolescent may be compelled to receive religious instruction of any kind. The national education system comprises 6,000 schools serving 1,214,485 children, adolescents and young people. Of these, only 6.5 per cent are enrolled in schools administered by religious entities (see annex 17).

#### **Freedom of association and of peaceful assembly**

71. The Growing Together Act recognizes freedom of association as a key avenue for the socialization of children and adolescents and their participation as social and political actors, in line with their citizenship and evolving capacities. This freedom encompasses activities carried out for lawful purposes that promote the full enjoyment and exercise of human rights. The State of El Salvador also acknowledges its duty to strengthen mechanisms for association and participation at the community, local, departmental and municipal levels, including child and adolescent advocacy services, which are community-based organizations that support the local promotion and protection of their rights.

72. The National Institute for Youth has promoted student councils as a means for children to associate and participate within the public education system. In 2018, 13 student councils had been established, with 319 participants; by 2022, the number of councils had grown to 27, with 288 participants. Through the “Get Active for Coexistence” programme, community committees have been established as part of the violence prevention strategy, with the aim of positively influencing the lives of adolescents and young people through sports, cultural and recreational activities.

73. The establishment of local rights committees has been promoted. These committees bring together local representatives from various rights-guaranteeing institutions, including education, health and security bodies, municipal authorities and community associations. In 2022, a total of 226 local rights committees were active across the country, with children and adolescents participating in 128 of them.

#### **Protection of privacy and protection of the image**

74. Articles 77 and 78 of the Growing Together Act establish safeguards for protecting children’s privacy and image, including the conditions for the lawful use of their image and the corresponding prohibitions. In a pioneering step, the Act also introduces, for the first time, specific protections for children against harmful or inappropriate content in virtual environments, consistent with the Special Act on Cybercrime and Related Offences.<sup>21</sup>

75. The State recognizes the impact of bullying, including cyberbullying, noting that children and adolescents who experience these practices face increased risks to their health and emotional well-being, along with potential long-term effects on their ability to realize their full potential. To reinforce protection, the State has strengthened its legal framework through the Special Act on Cybercrime and Related Offences, which contains specific provisions dedicated to safeguarding children and adolescents.

#### **Access to information from a diversity of sources and protection from material harmful to a child’s well-being**

76. The Directorate for Public Spaces, Radio and Television of the Ministry of the Interior and Territorial Development evaluates, monitors, supervises, classifies and authorizes public performances featuring international artists or productions. It also reviews and classifies television and radio broadcasts and cinematographic works, both public and private, with the

<sup>21</sup> Government of El Salvador, Special Act on Cybercrime and Related Offences, 2016. Available at <https://www.asamblea.gob.sv/sites/default/files/documents/decretos/39BE6573-A596-431D-A3EC-03F5BAA8D4E9.pdf>.

aim of protecting the mental health of the Salvadoran population, in particular children and adolescents, as mandated by articles 6, 32 and 35 of the Constitution.

77. In response to the Committee’s recommendation to promote the Convention on the Rights of the Child in the media, the State has created a virtual training programme on the Growing Together Act. The programme is open to the public and required for all officials whose duties involve working with children or adolescents.

78. The State has also begun broadcasting “Lula’s House”, a nationally produced programme developed through coordination between the Office of the First Lady, the Ministry of Education, Science and Technology and Canal 10. Each episode presents a learning scenario for children, covering topics such as science, nutrition, literature and emotional intelligence. Activity guides accompany every episode. The initiative also incorporates children’s songs as an additional learning tool. The programme has been so well received that live performances featuring its characters have been staged for Salvadoran children in Chicago and Italy.

## **B. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Abuse and neglect**

79. Through the Growing Together Act, the State promotes every child’s and adolescent’s right to proper treatment, understood as respect for their dignity and personal integrity. Parents and guardians are therefore required to provide guidance, support and dignified treatment, as well as discipline grounded in loving, sensitive care, mutual respect and positive parenting (art. 63). The State recognizes the importance of complying with the provisions of the Convention on the Rights of the Child, as respectful, non-violent parenting is essential for children’s healthy development.

80. Between 2018 and 2023,<sup>22</sup> the protection boards assisted 80,876 children and adolescents whose personal integrity had been violated. Girls and adolescent girls accounted for 60.6 per cent of the victims. The most frequently reported violation involved harm to physical integrity resulting from violence or mistreatment, representing 14.7 per cent of all cases.<sup>23</sup>

81. In 2019, the protection boards were facing a backlog of 90,000 cases. This backlog limited the quality of the services provided; however, the entire nationwide backlog accumulated between 2012 and 2018 was cleared in less than two years. Multidisciplinary teams achieved this by preparing individualized reports and assessments for each child or adolescent in order to determine whether protective measures were needed and, where possible, to restore the rights that had been violated. This was a significant effort that strengthened children’s and adolescents’ access to justice.

82. With respect to trafficking in persons, 47 cases involving child or adolescent victims were reported in 2019 and 32 in 2021. Crackdowns on crime and efforts to address the insecurity caused by organized criminal groups, the main perpetrators of such offences, have contributed to reducing their incidence, particularly through the implementation of the Territorial Control Plan.

### **Sexual exploitation and abuse**

83. In 2018, 4,795 cases of sexual violence against children and adolescents were reported, rising to 4,900 in 2021, according to the Attorney General’s Office. In the majority of these cases – 92.3 per cent – the victims were girls or adolescent girls. To address this scourge, every component of the victim protection system has been strengthened, including through training initiatives, increased material and financial resources, improved care facilities, inter-institutional care and referral protocols, information safeguards, follow-up to protection

<sup>22</sup> Child and Adolescent Information System, data as of April 2023.

<sup>23</sup> According to data from the Child and Adolescent Information System, other significant violations included neglect in daily care (14.3 per cent), pregnancy among girls and adolescents (11.5 per cent), sexual abuse (8.3 per cent) and irregular migration (6.3 per cent).

measures, reporting mechanisms, representation before administrative and judicial bodies, prosecutorial investigation, rights-based and gender-sensitive care, health services for victims, detection mechanisms in schools and the incorporation of specialized support programmes. El Salvador also participated in the Spotlight Initiative from 2018 to 2022, aimed at preventing violence against women and girls and femicide.

#### **Right not to be subjected to cruel, inhuman or degrading treatment or punishment**

84. Both under the Growing Together Act and its predecessor, the Child and Adolescent Protection Act, institutionalization and deprivation of liberty are exceptional, temporary measures to be applied for the shortest possible period and with maximum rights safeguards; priority is given to alternatives within both the child protection system and the juvenile criminal justice system. Between 2018 and 2022, the population in residential care centres fell from 657 to 585, while the number of adolescent offenders subjected to a custodial measure dropped from 1,158 in 2018 to 511 in 2021.

85. During consultations with children and adolescents in residential care centres, 73.6 per cent reported that their rights were adequately respected and upheld within the centre. In social rehabilitation centres, that figure was 35 per cent.<sup>24</sup> Likewise, 67.5 per cent of children and adolescents in residential care centres and 30 per cent in social rehabilitation centres stated that they felt safe inside the centre.<sup>25</sup>

86. To prevent the improper use of force by security officers, the National Public Security Academy has strengthened its training curriculum for both new recruits and personnel seeking promotion. The curriculum now includes extensive content drawn from international human rights instruments, and the Ministry of Justice and Public Security has disseminated the Manual on the Use of Force by the National Civil Police to institutions and the public as a resource for preventing abuse by the security forces. During the reporting period, the Human Rights Advocate conducted 73 training sessions for law enforcement personnel to ensure proper treatment and respect for the human rights of children and adolescents. In addition, the Directorate General of Prisons provided training to 1,467 prison officers.

87. The Inspectorate General of Public Security has received additional technical and budgetary support; its budget increased from an average of \$1,400,000 between 2014 and 2019 to \$2,056,810 in 2022. Since 2018, the Internal Control System for the Disciplinary Oversight Procedure of the National Civil Police has been in place, providing digital records of each case and enabling verification of progress, procedural deadlines and outcomes. In 2018, there were 40 complaints of torture or ill-treatment of adolescents, a number that declined to 11 in 2022, 91 per cent of which were investigated through disciplinary proceedings, according to data from the National Civil Police.

88. Regarding the right of access to justice, 52 per cent of those surveyed in residential care centres stated they believed they had timely access to justice, while only 10.3 per cent of those surveyed in social rehabilitation centres reported receiving timely access. The Counsel General's Office reported that, between 2018 and 2022, it provided legal assistance during judicial proceedings to 9,722 adolescent offenders, 16.1 per cent of whom were girls (see annex 18).

#### **Measure to promote recovery and social reintegration of child victims of violence**

89. To strengthen the protection of the rights of women, children, adolescents and other vulnerable groups, in 2021, the Attorney General's Office established the Deputy Prosecutor's Office for Women, Children, Adolescents and Other Vulnerable Groups. Its primary function is to investigate and prosecute offences committed against women, children, adolescents, lesbian, gay, bisexual, transgender and intersex persons and other vulnerable groups in the context of gender-based violence.

<sup>24</sup> National Council for Early Childhood, Children and Adolescents, report on consultations with children and adolescents enrolled in Council programmes, 2023.

<sup>25</sup> Ibid.

90. In 2022, amendments to the Organic Act on the Judicial System were adopted to expand the capacity of specialized judicial bodies handling cases involving children and adolescents nationwide through the establishment of the Second Special Chamber for Children and Adolescents and the Second and Third Special Courts for Children and Adolescents.

91. With regard to compliance with the obligation to investigate, prosecute and punish those who commit violence against children and adolescents, the capacities of the military and the police have been strengthened to ensure that their responses to violence do not violate the rights of children and adolescents. The Inspectorate General of Public Security applies technical guidelines for the inter-institutional referral of cases involving violations of the rights of children and adolescents committed by police personnel. Mechanisms have also been established within the Office of the Human Rights Advocate for receiving, investigating and processing complaints. The Salvadoran Institute for the Advancement of Women notifies the protection boards of relevant cases so that they can take immediate action to provide comprehensive care, while also ensuring access to justice by filing a report or complaint with the Attorney General's Office.

#### **Availability of helplines for children**

92. The State provides assistance, guidance and specialized care through the “119 Count on Me” hotline, administered by the National Council for Early Childhood, Children and Adolescents. The hotline allows callers to confidentially file complaints, request information or report emergencies involving violations of the rights of children and adolescents. It also centralizes the handling of queries received through social media and the institutional website, offering a chat service to facilitate public access to assistance. In 2022 alone, 3,498 calls were handled, with operators receiving reports and complaints and providing guidance and assistance (see annex 19).

### **C. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

93. Article 45 of the Growing Together Act affirms the right of every child and adolescent to grow up and develop within a family, recognizing the family as the natural setting for human development. Article 9 of the Act provides that recognition of the primary and fundamental role of the family is a guiding principle of State action.

94. To uphold the rights of children and adolescents who do not live with either parent, the State, through the Counsel General's Office, has carried out the necessary procedures to secure the payment of child support. Between 2018 and 2022, 1,778,066 services were provided for the processing of these payments, resulting in the recovery of more than \$135 million for children and adolescents (see annex 4). Child support arrangements have been handled through judicial, administrative and consular channels.

95. In 2022, data from the multipurpose household survey indicated that 29.1 per cent of children and adolescents nationwide were experiencing some degree of neglect (see annex 20). An additional 7.8 per cent were living without one or both parents owing to migration or death. In recent years, the number of children and adolescents whose family ties have been disrupted through abandonment, migration or death has decreased by 16.3 per cent.

96. The Growing Together Act provides for placement measures as a mechanism to ensure the temporary protection of children and adolescents in situations of vulnerability or risk. Such measures may include: (a) placement with extended family or a temporary foster family; or (b) institutional placement in specialized centres. These measures are exceptional and temporary, in line with the Act's recognition of the right to protection from deprivation of liberty, confinement and institutionalization (art. 67).

97. Since any form of placement is treated as a measure of last resort, the protection boards have established protection measures aimed at preserving family ties for children and adolescents. Accordingly, priority is given to options that allow them to remain with their families, in line with the Committee's recommendation in paragraph 31. Article 68 of the

Growing Together Act protects the right of children and adolescents in residential care centres to access complaint mechanisms tailored to their needs, living conditions and evolving capacities. Between 2018 and 2022, the number of children and adolescents who had been placed in institutions decreased from 657 to 585.

98. Although placement is a temporary measure, the quality of care in such institutions has been improved by strengthening the capacities of technical teams and caregivers. Between 2018 and 2022, the Salvadoran Institute for Comprehensive Child and Adolescent Development carried out 43 capacity-building initiatives for 608 residential care centre staff, covering topics such as positive discipline, human rights, violence prevention, gender mainstreaming, sexual and reproductive health and the prevention of child labour, among others. In addition, internal codes of conduct are established in the centres through participatory processes involving children and adolescents and opinion surveys are conducted to assess the services provided.

99. The Manual of Standards and Procedures for Temporary Family Placement consolidates human rights standards and mechanisms to ensure the comprehensive protection of the rights of children and adolescents who require alternative care, prioritizing their integration into temporary foster families, with full respect for the universal right to family and community life.

100. The Salvadoran Institute for Comprehensive Child and Adolescent Development promoted positive parenting practices through the “I Am a Person Too” programme, which reached 4,977 people between 2018 and 2022. The Salvadoran Institute for the Advancement of Women has held workshops on masculinities to encourage responsible fatherhood, positive discipline, new models of masculinity and changes in aggressive behaviour patterns among men.

101. In 2022, 17 adoptions were finalized. Since then, an individual review has been initiated for all cases involving children and adolescents who, despite having lived with families for years, remained in an irregular legal situation owing to legal and institutional shortcomings over the past decade.

102. The State is committed to promoting family reunification in line with the requirements of the Growing Together Act, both in relation to the past armed conflict and in situations caused by natural disasters. The Act establishes additional grounds for reunification: (a) foreign nationals legally residing in El Salvador may request, from the competent authority, authorization for their children to enter the country, upon providing proof of family ties; and (b) foreign children legally residing in El Salvador may request, from the competent authority, the entry of their family of origin on the same basis. In addition, the Act provides that when children and adolescents face situations of vulnerability, including irregular migration, living or working on the streets, forced displacement, sexual violence or similar circumstances, the State must adopt measures to ensure family reintegration (art. 76).

103. The State has adopted measures to ensure that children and adolescents can maintain social and emotional ties with parents or caregivers who are deprived of liberty, provided that this is not contrary to their best interests. The Growing Together Act requires that they be given the means to stay in contact and be protected from violence and stigmatization. Notable in this context is the “Rights for All” Plan for the Comprehensive Protection of Children and Adolescents with a Parent or Guardian Deprived of Liberty.

104. In addition, the Ministry of Health issued the Protocol for Women and Adolescents Deprived of Liberty, which sets out guidelines to ensure respect for the rights of pregnant and post-partum adolescent girls and adult women deprived of liberty, as well as their newborns, in social rehabilitation centres and prisons.

105. In 2021, the State began gathering information on children and adolescents with parents or guardians deprived of liberty by surveying persons held in prisons. The process continued in 2022, with 13,287 persons in four prisons and four social rehabilitation centres participating voluntarily. This made it possible to identify 21,774 children and adolescents. Of these, 117 were unborn, 12,741 were aged 7 or under, 4,400 were between 8 and 11 and 4,516 were between 12 and 17.

106. In 2022, the National Council for Children and Adolescents, in coordination with the Directorate General of Prisons, interviewed 104 women held at Izalco Women's Prison Farm who were living with their children. At that time, 158 children under 5 years of age were living with their mothers; by March 2023, that number had increased to 229. Of these children, the majority (83.4 per cent, or 191 children) were under 11 months old, while 16.6 per cent were between 1 and 4 years old.

107. At the Prison Farm, interviews with women deprived of liberty revealed that 90.4 per cent of them and their children had received healthcare. When needed, they were also referred to higher-level services, particularly those provided by Sonsonate National Hospital and nearby health facilities. Appropriate prenatal and perinatal care was likewise ensured for women in detention. The State has also promoted early stimulation, positive parenting practices and preparation for children's transition to the family environment.

#### **D. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)**

108. In 2020, the Special Act on the Inclusion of Persons with Disabilities<sup>26</sup> was adopted. It recognizes, protects and guarantees the progressive exercise and full enjoyment of the rights of persons with disabilities, including children and adolescents, on an equal footing with others. The Act designates the National Council for the Inclusion of Persons with Disabilities as the lead institution on disability matters, responsible for promoting these rights through the national policy and related intervention measures.

109. The Growing Together Act, consistent with the recommendations in paragraphs 13 and 33, incorporates the inclusion of children and adolescents with disabilities throughout its provisions and establishes differentiated actions, in line with the principles of equity and non-discrimination, to ensure their comprehensive protection through affirmative measures. The Act recognizes their rights to comprehensive healthcare (art. 35), inclusive education (art. 51), technical and vocational training (art. 92) and, for adolescent workers, labour inclusion (art. 95), among other rights.

110. To address discrimination and stigma against children and adolescents with disabilities, in line with the recommendation in paragraph 13, the Salvadoran Institute for Comprehensive Child and Adolescent Development designed a course on caring for children and adolescents with disabilities from a human rights perspective. In 2018 and 2019, the course was run five times, with 132 participants (25 men and 107 women). The Salvadoran Institute for Comprehensive Rehabilitation, too, has conducted awareness-raising initiatives on childhood disability for medical and education personnel, and on specialized care for staff of the National System of Comprehensive Protection, reaching a total of 10,383 people.

111. In line with the recommendation in paragraph 33, the State has made significant investments to improve health services for children and adolescents with disabilities. The Ministry of Health operates 28 hospitals providing paediatric services, 29 hospitals with neonatology services and 38 specialized community health units staffed by paediatricians, gynaecologists, psychologists, nutritionists, physiotherapists, dentists and other professionals responsible for early detection and intervention. The Ministry's Habilitation, Rehabilitation and Disability Unit is now tasked with coordinating care for children with disabilities across the National Comprehensive Health System, alongside its work to promote inclusive health. The Unit has developed new guidelines and regulatory documents outlining the care pathway for the habilitation and rehabilitation of children and adolescents with disabilities, covering promotion, prevention and the provision of quality, compassionate services from community-level to specialized care. Internal regulations have been drafted, disseminated and publicized to ensure comprehensive, rights-based care for this group, supporting equal access to services, non-discriminatory treatment, early detection and intervention and the availability of assistive technologies. Between 2018 and 2022, the Salvadoran Institute for

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<sup>26</sup> Government of El Salvador, Special Act on the Inclusion of Persons with Disabilities, 2020. Available at <https://www.asamblea.gob.sv/sites/default/files/documents/decretos/3C0C020D-6BAB-4BB7-823B-56E43486B52D.pdf>.

Comprehensive Rehabilitation provided services to 41,529 children and adolescents with disabilities.

112. In the education sector, and in line with the recommendation in paragraph 33, support was provided to 4,930 students with disabilities between 2018 and 2021 through expanded strategies, strengthened measures and educational support services. Between 2019 and 2021, around 1,000 students benefited from assessment and psychopedagogical guidance provided by resource and guidance centres. Specialized technical assistance was provided, in coordination with civil society organizations, to address the specific needs of students with disabilities. Through the “Links” programme, laptops equipped with specialized software were distributed to students with various types of disabilities, including blindness, visual impairments, intellectual impairments, autism, motor impairments and learning and participation barriers such as dyslexia and dyscalculia. A peer technical assistance strategy was implemented with inclusion support teachers to address the needs of students on the autism spectrum, benefiting 300 students between 2019 and 2021. In 2019, a participatory consultation was carried out with 30 school principals, 268 teachers and 1,000 parents and guardians to redesign the services and operations of the country’s 30 special education schools.

113. The Salvadoran Institute for Comprehensive Child and Adolescent Development, in its role as coordinator of the Shared Care Network, has established thematic networks based on the types of services provided by civil society organizations. By 2022, three national coordination networks for children and adolescents with disabilities had been established, bringing together 48 civil society organizations that carried out coordinated actions to contribute to upholding the rights of children and adolescents with disabilities.

114. Residential care centres managed by the National Council for Early Childhood, Children and Adolescents organize recreational and cultural activities to promote the participation of children and adolescents with disabilities. There are currently two specialized centres dedicated to this population group, which served a total of 388 persons between 2018 and 2022, 48.2 per cent of whom were girls or adolescent girls.

115. In consultation with civil society, stakeholders identified best practices in disability care, including promoting an inclusive approach to participation and equity and establishing guidance and resource centres for children and adolescents with disabilities. They also highlighted challenges, such as mainstreaming an inclusive approach across all public policies, securing dedicated budgets for comprehensive disability care and defining a national care model for children and adolescents with disabilities that incorporates individual, family and community dimensions.

### **Children’s health**

116. The Growing Together Act recognizes health as a right and a public good that is essential to protecting the lives of children and adolescents (art. 22). The Act adopts a comprehensive, socially informed understanding of health, defining it as a state of complete physical, mental and social well-being shaped by social, economic, cultural and environmental conditions.

117. Between 2018 and 2022, in line with the Committee’s recommendation in paragraph 8, the health budget increased from \$622.43 million to \$1.086 billion, a cumulative rise of 74.5 per cent (see annex 3). These resources enabled the Government to improve and expand health infrastructure, strengthen disease prevention efforts, increase the coverage of programmes for children and adolescents, pregnant women and vulnerable groups, enhance the supply of medicines and develop innovative care mechanisms, both under normal conditions and in the context of the coronavirus disease (COVID-19) pandemic, during which some health services were successfully digitalized.

118. As part of the State’s efforts to improve health services comprehensively, the Ministry of Health introduced the new National Vaccination Schedule for 2023, which includes: the hexavalent vaccine, which protects against six diseases, including tetanus and poliomyelitis, in a single dose; the 23-valent pneumococcal vaccine; and expanded human papillomavirus vaccine coverage for children aged 9 and 10. These advances have been implemented with full vaccine availability in all health facilities nationwide.

119. As part of efforts to ensure comprehensive care for adolescents, 51 community family health facilities and nine hospitals have been upgraded to provide adolescent-friendly services and differentiated care. Multidisciplinary teams have also been established in level III hospitals to serve this group, and the specialized clinic for adolescents with chronic illnesses at Benjamín Bloom Hospital has been strengthened.

120. Between 2018 and 2022, the Ministry of Health recorded 1,316,774 preventive consultations and 1,990,042 curative consultations for adolescents (see annex 21). The main causes of morbidity among this population group were respiratory diseases, gastrointestinal illnesses, nutritional problems and sexually transmitted infections. According to the 2022 multipurpose household survey, attendance at health centres for illness increased from 55.9 per cent in 2018 to 58.9 per cent in 2022. From 2020 onward, suspected COVID-19 became one of the leading reasons for consultation. Infrastructure adjustments, protocols, targeted interventions, information campaigns and the availability of medicines, including COVID-19 vaccines, enabled the country to respond effectively to the emergency.

121. Between 2018 and 2022, 208,751 adolescents received mental healthcare through psychiatric and psychological services (see annex 22). The Technical Guidelines for the Promotion of Mental Health, Prevention, Early Identification and Management of Suicidal Behaviour among Adolescent Girls and Young Women with an Emphasis on Pregnancy were developed and disseminated across the service network. The “Do You Need to Talk?” remote support centre was established, providing emotional support and psychosocial counselling, and the “Life Changes” programme was launched to deliver positive messages to adolescents and their families. Printed materials promoting self-care and mental health were also produced and distributed.

### **Prevention of child and adolescent pregnancy**

122. The Growing Together Act addresses child and adolescent pregnancy in two ways: (a) by recognizing the rights of girls and adolescents in relation to health, non-discrimination and special protection; and (b) by establishing the State’s obligations to guarantee those rights. The Act designates child and adolescent pregnancy as a priority for health institutions (art. 26), given the risks it poses for girls and adolescents and their children. It also requires all institutions to adapt their services, in line with their mandates, to uphold the rights of pregnant girls and adolescents.

123. Preventive measures to reduce pregnancy among girls and adolescents have proven highly effective. Between 2018 and 2022, authorities recorded 49,279 prenatal registrations among those aged 11 to 18 (see annex 5). However, the annual figures reveal a clear downward trend, dropping from 12,692 cases in 2018 to 7,413 in 2022 – a 41.6 per cent reduction. The sharpest decline was among adolescents aged 15 to 17, where the pregnancy rate fell by 19.6 per cent.

124. Implementation of the National Cross-sectoral Strategy for the Prevention of Child and Adolescent Pregnancy has continued. The institutions involved include the National Council for Early Childhood, Children and Adolescents; the Ministry of Health; the Ministry of Education, Science and Technology; the Salvadoran Institute for the Advancement of Women; the National Institute for Youth; the Ministry of Justice and Public Security; municipal governments; and others. While the strategy is coordinated by the National Council for Early Childhood, Children and Adolescents, each institution is responsible for planning, financing, coordinating and documenting its own actions. Since 2020, the strategy has applied a territorial approach, concentrating efforts in 25 municipalities across the country.

125. Under the National Cross-sectoral Strategy for the Prevention of Child and Adolescent Pregnancy, the Ministry of Education, Science and Technology developed and began implementing the Comprehensive Sexuality Education Programme. The programme includes a foundational course, updates to curricula from preschool through secondary education and the creation of four methodological tools to support those revisions. By 2019, 4,336 teachers had completed training on the course, and a further 560 were trained in 2020. The Ministry also developed a protocol to ensure that pregnant students and adolescent mothers remain in school. Its purpose is to prevent pregnancy-related dropout and to support these students in

completing their education. Article 57 of the Growing Together Act provides that “exclusion, expulsion and denial of enrolment on the grounds of pregnancy or motherhood are prohibited”.

126. The Ministry of Health provides annual training for adolescent leaders who serve as volunteer youth health promoters in every municipality. Their primary role is to implement a peer-to-peer strategy at the community level. Training covers topics such as adolescence, interpersonal relationships, family dynamics, self-esteem, pregnancy prevention and violence prevention. Sexual and reproductive health services have been brought closer to adolescents in vulnerable circumstances, such as those living in street situations, and the creation of adolescent-friendly spaces has improved the quality of care.

127. The Ministry of Health has established a comprehensive care pathway for pregnant adolescents that covers identification, risk detection, assessment, the development of individualized plans to address psychosocial risk factors and follow-up. It also created and distributed, throughout the service network, the Technical Guidelines for the Promotion of Mental Health, Prevention, Early Identification and Management of Suicidal Behaviour among Adolescent Girls and Young Women with an Emphasis on Pregnancy. In addition, coordination among the Ministry of Health, the Salvadoran Institute for Comprehensive Child and Adolescent Development and the National Council for Children and Adolescents has ensured access to healthcare for pregnant girls and adolescents and adolescent mothers through protection boards and residential care centres.

128. The Salvadoran Institute for the Advancement of Women, as the lead agency for gender equality and equity, provides guidance, coordination and support for implementing regulations that uphold the principles of equality and non-discrimination. In this role, it advised the Ministry of Health on regulations relating to several components of sexual and reproductive health, including the Sexual and Reproductive Health Policy, the Intersectoral Strategic Plan for Comprehensive Healthcare for Adolescents and Youth, the Technical Guidelines for the Provision of Contraceptive Services and the Technical Operational Guidelines for the Childbirth Plan Strategy.

129. The National Council for Children and Adolescents developed the Technical Guidelines for Handling Pregnancy among Girls and Adolescents and Sexual Abuse Affecting the Personal Integrity of Children and Adolescents. Working alongside the Salvadoran Institute for the Advancement of Women, it supported capacity-building within the National System of Comprehensive Protection by training technical staff on the right to a life free from violence, comprehensive sexuality education and the sexual exploitation of children and adolescents, among other related issues. Some of this training was carried out in partnership with the Inter-American Children’s Institute. The capacities of protection board officers were strengthened to improve responses to pregnancy among girls and adolescents, ensuring special protection based on human rights and effective coordination with other institutions. In addition, the Salvadoran Institute for Comprehensive Child and Adolescent Development designed specialized programmes for victims of sexual violence and provided tailored care to adolescent mothers in residential care and social rehabilitation centres, ensuring their access to all necessary health services, supporting the continuation of their life plans and guaranteeing comprehensive care and protection for their children.

130. The Salvadoran Institute for the Advancement of Women and the National Council for Children and Adolescents jointly developed guidelines for responding to cases of sexual violence against girls and adolescents within both the National System of Comprehensive Protection and the National Support System, integrating the right to a life free from violence with the principle of the best interests of the child. They have also implemented programmes to strengthen the capacities of girls and adolescents, promote their full participation in society, encourage parents to question cultural norms that normalize adolescent pregnancy, introduce new approaches to parenting and discipline and expand awareness of rights. In 2019 alone, these outreach initiatives reached more than 3,000 people.

131. Under the National Cross-sectoral Strategy for the Prevention of Child and Adolescent Pregnancy, the Salvadoran Institute for Comprehensive Child and Adolescent Development released a study on child and adolescent pregnancy in El Salvador in 2019, followed in 2022 by a study on the care services provided to pregnant girls and adolescents and young mothers

in its centres. That same year, the National Council for Children and Adolescents carried out a study on the practices and criteria used by protection boards in granting special protection to pregnant girls and adolescents. In addition, two editions of a report on the distribution of child and adolescent pregnancies in El Salvador were published in 2019 and 2021. This work forms part of a coordinated effort involving multiple institutions, including the Ministry of Health, the Ministry of Education, Science and Technology, the National Council for Children and Adolescents and the United Nations Population Fund.

### **Measures to protect children from substance abuse**

132. The Growing Together Act prohibits the sale and distribution of narcotic drugs and classifies the supply of such drugs to children and adolescents as a serious offence. In line with the Committee's recommendations, the Act also requires the National Health System to implement programmes for preventing substance use and to provide specialized services for the treatment of addictions and related complications.

133. In this regard, the following actions have been implemented: awareness campaigns such as "Alcohol is not your best friend", "Smoking affects us all", "Be smart, drink responsibly", "Choose health, say no to tobacco" and "If you smoke, you vanish: Put out the cigarette, light up your life". These initiatives reached 302,738 people between 2018 and 2022. The Ministry of the Interior and Territorial Development regularly supervises public events to protect children and adolescents in potentially hazardous environments and prevent the sale and consumption of addictive substances such as alcohol and tobacco. Between 2018 and 2022, it supervised 219 events nationwide. Through addiction prevention and treatment centres, the Ministry of Health provides services for the prevention, treatment and rehabilitation of addictions. Between 2018 and 2022, 1,175 people completed rehabilitation.

134. Until 2022, the Salvadoran Institute for Comprehensive Child and Adolescent Development operated the National Child and Adolescent Integration Centre, which assisted 342 children and adolescents between 2018 and 2022, 48 per cent of whom were girls or adolescent girls (see annex 24). The Centre's purpose is to provide specialized care for children and adolescents with substance addictions by addressing risk factors and strengthening protective factors.

### **Comprehensive early childhood support services**

135. With the entry into force of the Growing Together Act, the comprehensive protection of young children and the services providing comprehensive support to them were addressed under a single law, which provides that the Growing Together Institute will be responsible for designing and updating the early childhood support model and supervising the centres that apply it, so as to ensure that children receive appropriate support in all areas of development.

136. In 2019, under the leadership and with the support of the Office of the First Lady, the National Council for Children and Adolescents adopted the "Growing Together" National Policy to Support Early Childhood Development.<sup>27</sup> The aim of the policy is to ensure that Salvadoran children reach their fullest potential in terms of their early childhood development and to support the development path of children from gestation up to 8 years of age, through high-quality universal, differentiated and specialized services, organized around four areas of intervention: (1) health and nutrition; (2) education and care; (3) protective environments and settings; and (4) protection of rights.

137. Measures taken under the Growing Together Policy have included the introduction of coordinating bodies;<sup>28</sup> the roll-out of a training course for management teams at the

<sup>27</sup> Government of El Salvador, "Growing Together" National Policy to Support Early Childhood Development, 2020. Available at [https://crecerjuntos.gob.sv/dist/documents/POLITICA\\_CRECER\\_JUNTOS\\_2020-2030.pdf](https://crecerjuntos.gob.sv/dist/documents/POLITICA_CRECER_JUNTOS_2020-2030.pdf).

<sup>28</sup> "Growing Together" Intersectoral Expert Committee for Early Childhood, Management Teams Coordinating Committee, implementation support mechanisms (departmental management offices, departmental early childhood networks), special commissions involved in the implementation of the

departmental level; technical capacity-building for multidisciplinary staff on care before conception, during pregnancy and childbirth and in the postnatal period; and work done to clean, renovate, improve and equip 100 per cent of facilities of mother and child departments in hospitals in the National Comprehensive Health System. Other measures have involved the revitalization of 100 per cent of maternity clinics nationwide in terms of their image and the provision of new uniforms for all staff; the oversight and approval of 216 breastfeeding rooms in public institutions, private companies, Foreign Service offices and leisure areas; the training of 816 educators and community volunteers from 202 early childhood centres (187 child welfare centres and 15 child development centres); and training on emotional support and assistance for 645 community volunteers and volunteers from entities administering the child welfare centres.

138. In addition, in connection with the strategies to promote healthy leisure activities under the Growing Together Act, which recognizes children's right to play, baby libraries have been set up as places for the early stimulation of young children. They are open to the public and are intended, primarily, to promote neurodevelopment, creativity, personality development, creative imagination, communication, interpersonal relationships and active child-rearing practices. Fifteen baby libraries have opened to date, in an initial phase, and offer the services of a library and play space for young children and their families. Thirteen are located in cultural centres, the Urban Centres for Well-being and Opportunities, public libraries and parks; the other two are mobile units that travel and are set up in open spaces, community facilities and schools.

139. To promote the rights of children of mothers deprived of liberty, the National Council for Children and Adolescents conducted checks in 2022 to ensure that the rights of 144 pregnant women deprived of liberty and 54 children between 0 and 5 years of age living with mothers who were deprived of liberty were being respected. In addition, a project was put in place to identify alternative sentencing options for women with children under 5 years of age and to promote procedures in the criminal justice system (through legal advice and assistance) that foster family reunification and the interaction of parents and children. To date, of the more than 140 women deprived of liberty interviewed, 57 have been granted alternative sentences, thus allowing 121 children to be reunited with their mothers.

140. In addition, the necessary adjustments have been made in the prison system to safeguard the rights of children living with their mothers in a situation of deprivation of liberty. To this end, a support programme has been developed at Izalco Women's Prison Farm, with five major components: education, health, nutrition, psychosocial support and a rights-based approach. This programme includes, among other things, care in play areas; health checks for children; the monitoring of nutritional status, neurodevelopment and morbidity; preventive activities involving personal and environmental hygiene and cleanliness; nutritional care and follow-up; and psychosocial activities.

141. In line with the recommendation in paragraph 7, early childhood services have been diversified and decentralized. Until 2022, most centres had been administered through private initiatives, with oversight by the Ministry of Education, Science and Technology. Day-care and comprehensive support services have also been provided by the child development centres and child welfare centres, which are administered and supervised by the Salvadoran Institute for Comprehensive Child and Adolescent Development, municipalities and local and community organizations. The Institute was responsible for the child development centres and child welfare centres until early 2022, when responsibility for administering the child development centres was transferred to the Ministry of Education, Science and Technology. The Institute continued to be responsible for the child welfare centres until the end of 2022. When the Growing Together Act entered into force, the Growing Together Institute began running the child welfare centres under a co-management model. There are currently 15 child development centres and 187 child welfare centres nationwide, which served 6,534 children in 2022.

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Growing Together Policy: food and nutrition security; water, sanitation and hygiene; comprehensive inclusive development; mental health and parenting skills.

142. Services are also provided through the early childhood centres, which, according to the Growing Together Act, are “establishments for implementing the institutional track of the comprehensive early childhood care model and promoting nurturing care, early stimulation and high-quality education, so as to foster children’s physical, cognitive, affective and social development”. The State is obligated to promote early childhood centres, and all public and private employers with 100 or more workers must provide access to such a centre for the workers’ children.

143. With respect to education, the Model for Early Childhood Education and Comprehensive Development has three components: health, protection and education. For student records in the National Education Management Information System, vaccination cards are requested and checked, and a record is made of the state of health of the responsible adults and of the children. This allows for vaccination status to be identified and, where necessary, brought up to date. In addition, a questionnaire on early warning signs (Centers for Disease Control and Prevention, Atlanta) is used to identify children with developmental challenges, who are then referred to the nearest health clinic; the teacher or a technical assistant specializing in early childhood follows up on counter-referrals and provides guidance to the family to support the child’s development. In addition, staff of the Ministry of Health visit schools to check students’ height, weight and oral health and conduct child health checks, and they also give talks to parents at the community and institutional levels on topics such as nutrition, breastfeeding, the handling of food, vitamins and health education.

144. To improve the quality of teaching and early childhood services, teacher training was provided to more than 17,000 teachers in nursery, preschool and special needs education, territorial assistants, technical assistants specializing in early childhood and technical staff from the Ministry of Education, Science and Technology. In addition, a methodological strategy was designed for educational continuity, taking into account the new curriculum adjustments for early childhood. The “Grow Up Reading” radio programme, intended for an early childhood audience, was also launched.

145. In 2018, the net enrolment rate for nursery education was 6.4 per cent among children between 0 and 3 years of age and the rate for preschool was 57.4 per cent among children between 4 and 6 years of age. In 2019, the Ministry of Education, Science and Technology invested \$2,479,080.00 in early childhood, benefiting a total of 33,626 children in nursery education and 230,038 in preschool. In 2021, there were 25,546 children enrolled in nursery education and 188,631 in preschool, representing increases of 7.8 per cent and 3.9 per cent, respectively (see annexes 6 and 7).

146. The measures taken to promote breastfeeding since the entry into force of the Loving Nutrition Act for the Promotion and Protection of and Support for Breastfeeding include the training and certification by the Higher Public Health Council of 285 lactation consultants, who are health professionals skilled in counselling, prevention, promotion, diagnosis, treatment and rehabilitation related to breastfeeding. In addition, 120 breastfeeding counsellors have been trained; these are not health professionals, but they have the basic knowledge and interpersonal skills to allow them to successfully support breastfeeding.

### **Nutrition, clothing and housing support programmes**

147. The Growing Together Act recognizes the right to a life of dignity (art. 21), which includes, for example, access to adequate food, food security, decent housing, potable water, sanitation and adequate clothing. With respect to housing conditions, according to the 2022 multipurpose household survey, 89.9 per cent of households have access to piped drinking water, 98.2 per cent have access to electricity, and 98.8 per cent have access to sanitation. Furthermore, 99.9 per cent have homes with roofs made with concrete sheets, aluminium, concrete slab or another durable material, 92.9 per cent have concrete or adobe walls, and 93.4 per cent have a concrete or brick floor.

148. Poverty in El Salvador is currently measured using two internationally standardized methods (monetary poverty line and multidimensional poverty). According to estimates, in 2018, a total of 812,295 children and adolescents were living in households in extreme or relative monetary poverty, corresponding to a rate of 40.5 per cent; in 2022, there were 693,484 children and adolescents living in poverty, for a rate of 39.8 per cent. In 2022, the

household poverty rate was 26.6 per cent. The multidimensional poverty rate among households was 28.8 per cent in 2018 and declined to 27.0 per cent in 2022.

149. Between 2018 and 2022, the main measures employed to combat poverty included an early childhood and education allowance, the universal basic pension and the solidarity pension for persons with disabilities. The aim of these measures is to reduce inequalities by supporting household income and thereby ensuring access to social services (mainly healthcare, food and education) that contribute to breaking the intergenerational cycle of poverty. In 2022, it was reported that 5,849 families were receiving the early childhood allowance and 37,367 persons were participating in the pension programmes.

150. The State has encouraged responsible and sustainable consumption to reduce malnutrition and chronic noncommunicable diseases through its implementation of a road map for sustainable food systems, with increased infrastructure capacity, equipment, supplies, and human resources for the different mother and child departments, the creation of a nutrition and food security unit at the Ministry of Health, the implementation of the National Nutrition Strategy for Early Childhood, the opening of more than 130 breastfeeding rooms in public and autonomous institutions nationwide, the development of technical guidelines for addressing malnutrition during the life cycle, updated dietary guidelines, the preparation of dietary recommendations for women prior to conception, during pregnancy and while breastfeeding, taking into account the prevention of diabetes and hypertension, and the launch of the Ancestral Food Culture Project.

151. With support from the Central American Integration System, the Ministry of Health has developed a national food and nutrition security observatory, a virtual space for managing information on the subject, which allows for the monitoring of global indicators on food and nutrition security for decision-making, information-sharing, studies and research on the subject. This research has, for example, addressed the cost of the double burden of malnutrition and included an updated assessment of the food and nutrition security classification.

152. Between 2019 and 2022, undernutrition in children was reported to have decreased by 10.4 per cent. There has been a downward trend in this indicator over the last four years, despite the adverse international market conditions, as a result of the proactive government policies to reduce the effect of food prices on household disposable income, which have included, for example, targeted cash transfers, price freezes on strategic goods, investment in employability programmes and the donation of food.

153. Between 2018 and 2021, a total of 220,103 persons received nutrition education and counselling at community-based family health units. Between 2018 and 2022, rural health and nutrition centres served a total of 2,255 children, of whom 96.1 per cent had a normal nutritional assessment, 2.8 per cent were undernourished and 1.1 per cent were severely undernourished. At the same time, they were provided with supplementary food, developmental stimulation and check-ups. During the same period, 1,952 home visits were carried out to provide health and nutrition counselling.

154. To ensure the right to survival, breastfeeding is promoted from the first hour after birth, as it has many benefits, including protection against pneumonia, diarrhoea, ear infections and asthma, a reduction of almost 20 per cent in the risk of dying in the first month and the prevention of overweight. It also is associated with better academic performance and reduces healthcare costs.

## **E. Education, leisure and cultural activities (arts. 28–31)**

### **Right to education, including vocational training and guidance**

155. The Growing Together Act recognizes the inalienable right of children and adolescents to education (art. 47), which is to be free and compulsory (art. 48). The State is responsible for creating the material and institutional conditions for the implementation of a relevant and inclusive curriculum that promotes the full development of the personality. With regard to the Committee's recommendation in paragraph 13, the Growing Together Act also

guarantees access to education and to inclusive educational services for children with disabilities (art. 51) and children with specific support needs (art. 52).

156. In addition, the Growing Together Act recognizes the right of young children to receive high-quality comprehensive support, with the State being obligated to develop a support model for that segment of the population that will be implemented through family and community pathways as well as institutional ones (art. 50). The Growing Together Act establishes the Growing Together Institute, which is responsible for designing the comprehensive support model for early childhood and determining how it will be implemented. In addition, an aim of the Growing Together Policy is for education services meeting high quality standards to be offered from early childhood onward in order to foster comprehensive development.

157. In 2022, the President of the Republic launched a comprehensive educational reform called “My New School”, which is based on six pillars: infrastructure, early childhood, teacher training, an updated curriculum, technology, health and nutrition. Under the “Links for Education” programme, progress continues to be made in reducing the digital divide and providing the necessary technological tools to all students in the public education system.

158. In 2019, a school counselling programme was introduced to provide psychosocial support and legal advice to children and adolescents through a preventive approach. Its aim is to enhance the factors that promote protection and to reduce risk factors through child-friendly spaces, with educational games and printed and virtual materials designed to provide a creative response to the multiple forms of violence and social risk affecting students in the education system and to reported violations of their rights. As a good practice, this programme has contributed to reducing the levels of violence and improving the atmosphere in schools through the provision of in-person and online services to the educational community. The services involve psychological first aid, crisis intervention, psychological support, self-care, the development of socioemotional skills, the establishment of child-friendly spaces and inter-institutional coordination. There are currently 14 school counselling centres, one per department.

159. Most children, during consultations with them, identified schools as safe spaces. In consultations with civil society organizations, 79 per cent of the organizations were of the view that the security measures taken in recent years had allowed for a reduction in social violence, better conditions of access to schools, a decrease in the level of danger in and on the way to school and, consequently, a stronger guarantee of children’s and adolescents’ right to education.

160. During the COVID-19 pandemic, efforts were made to transform teaching strategies, with a shift towards virtual learning, from nursery education to higher education. This was accompanied by significant investment in training for teachers and technology kits for public school students and teachers. The Programme on Universal Access to Educational Technologies was rolled out and, under it, an Internet-enabled computer or tablet was provided to 100 per cent of students in the public system. Flexible educational arrangements were expanded to allow students to level up and catch up and to promote continuity and alternative forms of access. Such arrangements benefited a total of 15,744 children and adolescents between 2019 and 2021, of whom 54.9 per cent were female. The Ministry of Education, Science and Technology implemented other strategies to guarantee access to educational content, including the delivery of printed guides to teachers, parents, caregivers and students and the development of educational programming for radio and television.<sup>29</sup>

<sup>29</sup> The show “Let’s Learn at Home with the Radio” was launched for the radio and consisted of 11 special programmes for different age groups and on different subjects, including “The Backpack”, “Toys of My Land”, “Rosita’s Little House”, “Kika and Her Adventures in Time”, “The Little Travelling Bus”, “The School Microphone” and “Grow Up Reading”. For television, the show “Let’s Learn at Home” was introduced and included educational entertainment, presentations of manuals by specialists and spaces for socioemotional support for students, teachers and parents. It contained programmes such as “Lula’s House”, “Adventures around the World” and “I Am Music” (in partnership with UNICEF).

### **Cultural rights of children belonging to Indigenous and minority groups**

161. The State has taken a series of special measures to protect and promote the rights of children and adolescents from Indigenous communities, with the principal measures being their recognition under article 63 of the Constitution and the national commemoration held on 9 August each year since 2023. In addition, in July 2021, El Salvador ratified the Convention against Discrimination in Education, an instrument adopted by the United Nations Educational, Scientific and Cultural Organization in 1960, in which measures to guarantee access to education without discrimination for members of national minorities are addressed.

162. Article 59 of the Growing Together Act addresses the right to cultural identity of all children and adolescents in terms of knowing, preserving, exercising and recovering all the elements that make up their cultural heritage, provided that they are not harmful to their own integrity or the rights of others, in which they must have the support of the State, their family and society.

163. With respect to care for Indigenous children and adolescents, the aim of the National Health Policy for Indigenous Peoples<sup>30</sup> of the Ministry of Health is to guarantee the right of Indigenous Peoples to comprehensive healthcare, with an intercultural and gender-based approach that recognizes and respects Indigenous knowledge and facilitates its integration into the national health system, with social participation. With respect to food security, the Ministry of Culture and the Ministry of Health have launched the Ancestral Food Culture Project, which provides for the participation of the Indigenous and Afrodescendent population as agents of change, through their traditional knowledge and practices, particularly their ancestral food culture, their sustainable production practices and respect and care for the environment.

164. In relation to the recommendation in paragraph 47, education plays an essential role in development and in overcoming societal inequalities. There is therefore a guarantee of free, high-quality public education (nursery, preschool, basic, secondary and special needs education and, since 2021, public higher education), which is provided in all modalities in an inclusive manner and on a non-discriminatory basis to the entire population, including the Indigenous population.

165. Steps have been taken to raise awareness of and provide training on intercultural education through the development of a teacher training programme on cultural identity and the Náhuatl language. Work has been done under the multimodal education strategy to digitalize teacher training in cultural identity and the Náhuatl language. Awareness was raised among 400 teachers nationwide of interculturalism and the importance of cultural heritage.

166. In addition, training in cultural identity and the Náhuatl language is provided to teachers and community leaders, with some 40 persons having taken part in 2020. The Ministry of Education, Science and Technology developed a project for the involvement of Indigenous Náhuatl-speaking women, as ideal teachers, in the intergenerational transmission of the Náhuatl culture and language to young Indigenous children in the education system, with a view to meeting the standards for comprehensive child development. To date, the activities to revitalize the Náhuatl language have involved more than 500 children between 3 and 7 years of age with roots in the Nahua Indigenous community.

167. The Ministry of Culture promotes the revitalization and strengthening of the cultural expressions of Indigenous Peoples, especially dances, ancestral commemorations and ceremonies and the Náhuatl language. That language has been declared a protected intangible asset, and 21 February has been designated National Náhuatl Language Day. The Office of the First Lady, together with the Ministry of Culture, has promoted the publication of texts translated into Náhuatl through a survey of different linguistic and cultural identities for the Bálamo and Amate series of the Tree of Life Collection.

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<sup>30</sup> National Health Policy for Indigenous Peoples, 2018. Available at [http://asp.salud.gob.sv/regulacion/pdf/docpublicos/Politica\\_Nacional\\_de\\_Salud\\_de\\_Pueblos\\_Indigenas\\_052018.pdf](http://asp.salud.gob.sv/regulacion/pdf/docpublicos/Politica_Nacional_de_Salud_de_Pueblos_Indigenas_052018.pdf).

168. Kakawira children and adolescents pointed out, in a consultation group, that what was urgently needed to safeguard their cultural identity was respect for and the dissemination and promotion of their language and cultural practices. They also stated that efforts were needed in different institutional sectors to allow Indigenous Peoples to participate and be considered in decision-making, with respect for their culture, traditions and practices.

#### **Rest, play, leisure, recreation and cultural and artistic activities**

169. The State emphasizes that article 60 of the Growing Together Act recognizes the right to rest, recreation, play, leisure and sports activities and the duty of the family, society and the State to develop initiatives that make the right a reality and to provide offerings suited to the characteristics and interests of children and adolescents.

170. The measures taken to promote recreation, sports and culture among children and adolescents include, notably, the holding of the Central American and Caribbean Games in San Salvador in 2023, in which children and adolescents played an important role. In connection with the Games, the Office of the First Lady, in coordination with the Ministry of Education, Science and Technology, launched the contest “I Draw and Paint the XXIV Central American and Caribbean Games, San Salvador 2023”, which was open to preschool and first grade students in public and private schools and children in the preschool and first grade sections of child welfare centres and child development centres. Furthermore, the Office of the First Lady, in coordination with the Ministry of Culture and the Ministry of Education, Science and Technology, holds Young Children’s Festivals of Traditions in parks around the country.

### **F. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)**

#### **Migrant children and children affected by migration**

171. To address the trends relating to irregular migration and guarantee the rights of returnees, the National Council for Children and Adolescents, with support from the Office of the First Lady, led the development and implementation of the “Open Arms” Plan for the Comprehensive Care and Protection of Returnee Children and Adolescents and Their Families, 2021–2023. This plan brings together all State initiatives intended to guarantee and protect the rights of returnee children and adolescents and their families and to create conditions that support effective community reintegration and prevent repeat migration.

172. Within the framework of the Open Arms Plan, the National Council for Children and Adolescents has implemented a project on assistance for returnee children and adolescents and support for the sustainable reintegration of their families and a project to connect the families of returnee children and adolescents with livelihood opportunities, which focus on the prevention of repeat migration through economic empowerment and capacity-building among families. The same institution opened two special offices in the consulates in McAllen, Texas, United States, and Monterrey, Mexico, to provide psychosocial and administrative support for children and adolescents in the return procedure. In 2022 and 2023, 714 children and adolescents, of whom 44.3 per cent were female, were assisted by these offices.

173. The multidisciplinary teams of the National Council for Children and Adolescents provided support to children and adolescents in their registration, evaluation and transfer to their communities of origin, and the protection boards provided support by identifying situations where rights had been violated and issuing the corresponding protection measures. The reception process for children and adolescents is carried out jointly with the Counsel General’s Office and involves an interview in which any situations of vulnerability before, during or after migration are identified. The Council’s multidisciplinary teams assisted 7,469 children and adolescents between 2021 and 2022. Adjustments have been made to the premises of the Migrant Support Office in terms of the physical space and the availability of games, an early childhood room and a reading room for adolescents. The Council also led the updating of the protocol for the protection and care of children and adolescents in El Salvador. Between 2021 and 2022, the Salvadoran Institute for Comprehensive Child and

Adolescent Development implemented 15 projects for sustainable reintegration and the prevention of repeat migration, benefiting more than 100 families.

174. In 2019 and 2020, 432 children and 216 adolescents asked to be allowed to use flexible educational arrangements. With respect to health, the Ministry of Health has put in place a team of doctors and nurses to provide care to returnee children and adolescents, with healthcare for unaccompanied children being prioritized.

175. The Special Unit for Children and Adolescents of the Counsel General's Office provides legal representation to unaccompanied migrant children and adolescents. "Rights fairs" have been held and the programme "I Exercise and Stand Up for My Rights and Duties" has been implemented to prevent irregular migration.

176. There are various measures to assist returnees, including measures relating to the provision of food during the reception process, access to medical consultations, the delivery of humanitarian assistance, play areas, institutional transportation, healthcare services, temporary shelter and psychological first aid. Furthermore, social, psychological or financial assistance is provided to families affected by migration, which ultimately has an impact in terms of guaranteeing the rights of children and adolescents. In addition, the State has numerous protocols for the reception of, provision of assistance to and referral and transfer of returning families with children and adolescents.

177. In 2019, a law was adopted on the provision of assistance to and protection of victims of forced displacement, and it officially recognized displacement as a national problem, in line with the recommendations in paragraphs 22 and 23. The Growing Together Act includes forced displacement as one of the situations of vulnerability with respect to which the State has taken on obligations for the protection of the rights of children and adolescents.

178. In 2019, a special shelter for forcibly displaced persons, administered by the Ministry of Justice and Public Security, was opened. For its part, the Counsel General's Office began providing assistance to victims of forced internal displacement in 2015. To this end, mechanisms have been developed for coordination with civil society organizations in order to ensure the implementation of lasting solutions for victims. In March 2020, the Counsel General's Office established its Forced Internal Displacement Unit to ensure the provision of support and assistance to victims.

179. Furthermore, the Ministry of Health considers the response to internal displacement in its technical guidelines on comprehensive healthcare for persons affected by violence. The Special Act on Migration and Alien Affairs, adopted in 2019, includes specific provisions on the treatment of returnee children and adolescents and defines institutional areas of competence in the interest of ensuring comprehensive care, moving from a security-based approach to a protection-based one. In addition, in 2019, the State joined the comprehensive regional protection and solutions framework, in line with the regional strategy of the Office of the United Nations High Commissioner for Refugees (UNHCR). Work is currently being done with UNHCR on a victim registration system for the National Directorate for Victim Support and Forced Migration.

### **Children in street situations**

180. Article 76 of the Growing Together Act defines, for the first time, what is meant by children and adolescents with connections with the street, taking up the standards set by the Committee in its general comment No. 21 (2017). The fact of being in a street situation or having connections with the street is recognized as a serious human rights issue requiring proactive measures by the State.

181. In 2019, a national committee on children and adolescents with connections with the street was formed, various profiles were identified and a road map was prepared for the systematic implementation of measures for the safeguarding of rights. Between 2021 and 2022, 188 children and adolescents were assisted on an outpatient basis, with, for example, health services, medicine, care, protection and food being provided and violations being identified.

182. In 2023, within the framework of the Growing Together Act, the "Safe Childhood" plan was developed to assist children and adolescents with connections with the street. The

measures under the plan address, firstly, healthcare, education, early childhood services, training for parents or guardians and assistance through day-care centres and night-time shelters. Secondly, the plan provides for the implementation of programmes and projects that foster life paths not involving street situations, through programmes involving treatment for psychoactive substance use and rehabilitation, transfers to families, vocational training and guidance, the bringing together of children and adolescents and their families, access to and improvements to housing, and the improvement of conditions in the communities of residence of children and adolescents with connections with the street.

### **Children in situations of exploitation, including measures for their physical and psychological recovery and social reintegration**

#### *Economic exploitation of children, including child labour*

183. In line with international human rights standards, it is considered under the Growing Together Act that work done by persons under 18 years of age may be detrimental to their integrity and dignity, but it is also recognized that some employment activities may be performed by adolescents, in a manner consistent with their evolving capacities, without undermining their rights and freedoms, as a contribution to their families' strategy for survival.

184. In this sense, the Growing Together Act provides for the protection of young children, children and adolescents against all forms of economic exploitation and, in article 86, explicitly prohibits the worst forms of child labour, forms of work that are dangerous, either because of the nature of the work or the conditions of work, and other forms of exploitation in which children or adolescents may be used. Under the Labour Code and the Growing Together Act, the minimum age for work is set at 14 (art. 87). Starting from the minimum age, protection is provided against employment activities that are harmful, either because of the nature of the work or the conditions of work, and may pose a risk to the adolescent's integrity.

185. In 2018, 101,921 children and adolescents were reported to be engaged in child labour; in 2022, the figure was 66,353. Of the number in 2022, 16,799 were under the minimum age for work, and 49,554 were adolescents engaged in dangerous work. The protection boards report that 41 victims of the worst forms of child labour were assisted between 2021 and 2022. Child labour is most prevalent among boys and adolescent boys, with the nationwide rate among that group being 7.4 per cent. Geographically, it occurs mostly in rural areas (60.9 per cent).<sup>31</sup>

186. With respect to working adolescents, the Growing Together Act provides for guarantees of protection at work, such as, for example, fairness and proportionality in pay and benefits with respect to the work and in the contractual relationship, a working week of no more than 34 hours, periodic inspections to ensure that the work is not inconsistent with the adolescents' studies or health, and access to pension and social security services. The Ministry of Labour and Social Security is responsible for keeping a register of working adolescents and monitoring their employment situation through on-site inspections.

187. The measures taken to address and eradicate all forms of child labour include checks conducted by the Ministry of Labour and Social Security with respect to the minimum age for work and the worst forms of child labour; the expansion of the list of dangerous activities and jobs in which children and adolescents may not work and of the requirements for an adolescent to obtain a work permit; the implementation of the standing plan for child labour monitoring, involving the verification at workplaces of the conditions under which adolescents work; and, at the end of the year, the implementation of the "Pyrotechnics Plan", under which inspections are conducted in places where fireworks are manufactured and sold to ensure that no children or adolescents are employed in activities involving the handling of gunpowder.

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<sup>31</sup> Data from the multipurpose household survey (2022). Available at <https://www.bcr.gob.sv/documental/Inicio/vista/0c0aa5ade233aa9a7345923e9329407a.pdf>.

188. If it is found during a labour inspection that an adolescent does not have a work permit or that the conditions for ensuring his or her welfare are not met, the inter-institutional protocol on removal and prevention is activated, and the protection boards take the necessary measures to defend and protect the adolescent's rights.

189. Economic exploitation in the form of practices such as child labour has decreased in recent years, despite the difficulties that households faced during the COVID-19 pandemic. According to data from the multipurpose household survey, the national child labour rate decreased from 6.8 per cent in 2018 to 5.1 per cent in 2022 (see annex 23). The Ministry of Labour and Social Security has repeatedly conducted awareness-raising campaigns among employers on the prevention of child labour, and between 2018 and 2022, it conducted 3,991 labour inspections to detect children and adolescents in situations of child labour. Moreover, in 2022 the country declared the sugar sector to be free of child labour with respect to the cultivation and harvesting of sugar cane.

190. El Salvador is a member of the International Labour Organization (ILO) and has ratified the ILO Minimum Age Convention, 1973 (No. 138), and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). In addition, the State is part of the regional initiative Latin America and the Caribbean Free of Child Labour.

*Use of children in the illicit production and trafficking of narcotic drugs and psychotropic substances*

191. The Growing Together Act prohibits the sale and distribution of narcotic and psychotropic substances (art. 34) and provides that it is a serious offence to provide such substances to a child or adolescent (art. 237). In addition, in line with the recommendation in paragraph 37, the Act makes it one of the obligations of the National Comprehensive Health System (art. 27) to implement programmes for preventing substance use and to provide specialized services for the treatment of addictions and related complications.

*Sale, trafficking and abduction*

192. In addition to the protection provided against trafficking in persons under the Growing Together Act (art. 69), the Special Act against Trafficking in Persons in El Salvador contains specific provisions on the special protection of victims who are children or adolescents. The Special Comprehensive Act on a violence-free life for women establishes gender-sensitive guarantees relating to the prevention and punishment of violations resulting from practices such as trafficking in persons. There were 47 reported cases in 2019 and 32 in 2021, according to data from the Attorney General's Office.

193. In 2018, the inter-institutional protocol on the immediate delivery of comprehensive care for victims of trafficking in persons was developed with the objective of implementing guidelines on the coordination between and the steps to be taken by the institutions comprising the National Council on Trafficking in Persons, in their respective areas of competence,<sup>32</sup> in the provision of comprehensive, immediate and sustained assistance and protection for victims of trafficking in persons.

194. Within the National Civil Police, there is a special unit to combat trafficking in persons and related offences, which updated the procedure for the investigation of all forms of trafficking in persons. It also implements national operational plans for the prevention of trafficking in persons and people smuggling through talks on prevention in schools, inspections of nightclubs, bars, hotels and motels, and vehicle checks at unofficial border crossings. Similarly, the Special Prosecutor's Unit for People Smuggling and Trafficking

<sup>32</sup> These institutions are the Ministry of Foreign Affairs, the Ministry of Justice and Public Security, the Ministry of Education, Science and Technology, the Ministry of Health, the Ministry of the Interior and Territorial Development, the Ministry of Labour and Social Security, the Ministry of Tourism, the Attorney General's Office, the Counsel General's Office, the Salvadoran Institute for the Advancement of Women, the National Council for Children and Adolescents, the National Civil Police, the Directorate General for Migration and Alien Affairs and the Salvadoran Institute for Comprehensive Child and Adolescent Development.

carries out preventive operations in places where there is considered to be a risk of exploitation in order to identify potential victims of any form of trafficking in persons.

195. The Directorate General for Migration and Alien Affairs is implementing a protocol for detecting, handling and combating trafficking in persons, people smuggling and related offences, through internal regulations based on national law. It records all possible cases of trafficking in persons in the Integrated Migration Management System, which has a specific module for trafficking in persons and people smuggling. Where an adult is travelling with a child or adolescent, migration officials carry out an interview protocol with the person responsible and the child or adolescent for the purpose of preventing irregular migration. Potential cases that are identified are referred to the National Civil Police and the Attorney General's Office, as well as to the protection boards when there is a child or adolescent victim of trafficking. In 2021 and 2022, 210 child and adolescent victims of trafficking received assistance from the protection boards.

196. Until the end of 2022, the Salvadoran Institute for Comprehensive Child and Adolescent Development administered the Regional Shelter for the Care of Trafficking Victims. The shelter served 56 girls and adolescent girls between 2018 and 2022. It provides all the services of a care facility for the effective protection of rights and has special security protocols to guarantee the integrity of victims of trafficking.

197. The Directorate General for Migration and Alien Affairs has, in connection with its dissemination-related activities, held information fairs on the forms of trafficking in persons and launched the "Think Twice" campaign, in coordination with the International Organization for Migration.

#### **Children in conflict with the law, victims and witnesses and juvenile justice**

198. The Growing Together Act contains innovations with respect to the protection of children and adolescents who are victims or witnesses of offences and recognizes their right of access to justice, including with respect to standards for ensuring that statements are made only once, in child-friendly environments and with the assistance of competent, trained professionals and the use of the necessary digital equipment to ensure that children and adolescents who are victims or witnesses are not revictimized.

199. In El Salvador, under the Juvenile Offenders Act, persons between 12 and 17 years of age may be charged with an offence in the juvenile justice system, and a catalogue is provided of measures that focus on the social reintegration of adolescents through social and family guidance and support, warnings, the imposition of rules of conduct, community service, probation and detention.

200. The National Council for Early Childhood, Children and Adolescents administers centres and programmes targeting the integration of adolescent offenders (Growing Together Act, art. 131) and runs three programmes to support adolescent offenders: (a) a programme providing support during administrative detention (72 hours); (b) a programme to support adolescents deprived of liberty in social rehabilitation centres; and (c) a programme to support adolescents serving sentences in open settings.

201. Adolescent offenders are placed in social rehabilitation centres under provisional or final detention orders. There is a programme that governs detention measures in social rehabilitation centres and includes components addressing formal and non-formal education, food and nutrition, health, psychosocial support and family strengthening. Projects have been run at the centres focusing on recreation, through sports, and on life skills, through music, theatre, creative writing and dance, in collaboration with civil society and the Ministry of Culture.

202. The aim of socioeducational measures in open settings is to preserve adolescent offenders' family and community ties, provided that the immediate family environment is shown to be suitable for allowing the adolescent to reintegrate into the dynamics of society. The measures serve as support mechanisms that allow the adolescents to establish, strengthen or give continuity to their life plans through educational continuity, the development of social and work skills, the strengthening of family relationships, and psychosocial support and healthcare.

203. In recent years, the juvenile courts have prioritized the use of probation or measures in open settings, in order to minimize detention and promote options that foster the adolescents' social rehabilitation without affecting their family and community ties or hindering their educational and training paths. Thus, there were 1,158 adolescents in social rehabilitation centres in 2018 and 511 in 2021, and there were 1,267 adolescents serving sentences in open settings in 2018 and 945 in 2021. The number of adolescents in detention decreased by 55.9 per cent, and the number serving sentences in open settings decreased by 25.4 per cent.

204. In 2022, the Salvadoran Institute for Comprehensive Child and Adolescent Development took steps to adapt the infrastructure of the social rehabilitation centres so that it would be better suited to adolescents. A total of \$5,030,586.16 was invested in the four rehabilitation centres. In addition, steps were taken to review, update and adapt the programmes and the security and support protocols at the centres, so as to create spaces free of violence where adolescents could learn, re integrate into society and participate in their communities.

205. The National Civil Police and the National Public Security Academy, in coordination with the Office of the Human Rights Advocate, regularly carry out activities to raise human rights awareness among the police, in which they place an emphasis on vulnerable populations, including adolescents and young people, in order to prevent their stigmatization.

#### **Children in armed conflicts**

206. El Salvador provides special protection for children and adolescents in emergencies and disasters, including international and non-international armed conflicts. This protection includes priority access to evacuation from the affected areas, shelter, food, medical and psychological care, and medicine. The State protects children and adolescents against forced or compulsory recruitment directed towards their participation in an armed conflict.

207. In addition, in cases of conflict, the State ensures that it provides an appropriate response that is adapted to the best interests of children and adolescents and includes the prevention of family separation, the provision of psychosocial support, the creation of inclusive, accessible, child-friendly spaces, and the prevention of any type of violence or discrimination. Consequently, the State has taken steps to protect particularly vulnerable children.

### **III. Follow-up to the Optional Protocols**

#### **A. Optional Protocol on the sale of children, child prostitution and child pornography**

208. With regard to the Committee's recommendation in paragraph 53, amendments to the Special Act on Cybercrime and Related Offences were adopted by the Legislative Assembly in late 2021 and were approved and published by President Nayib Bukele in January 2022. The amended Act criminalizes and penalizes computer-related offences committed against children and adolescents or persons with disabilities by means of information and communications technologies, including pornography, grooming, the exchange of messages with sexual content, sexual extortion, the acquisition or possession of pornographic material, corruption and harassment.

#### **B. Follow-up to the Optional Protocol on the involvement of children in armed conflict**

209. With respect to the Optional Protocol on the involvement of children in armed conflict and regarding the Committee's recommendation in paragraph 54, as previously reported, the minimum age for voluntary enlistment in the Salvadoran army continues to be 16, with the following being required in order to ensure that the enlistment is voluntary: (i) the submission of a written letter from the adolescent to the Directorate General of Recruitment and Reserves;

(ii) the submission of a birth certificate; and (iii) the submission of a signed document from the adolescent's parents confirming the adolescent's willingness to join the military. In addition, El Salvador has a legal system designed to ensure that children and adolescents are not recruited by armed forces or groups and, through its international obligations, it reiterates its commitment to comprehensively defending and protecting children and adolescents.

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