



Human Rights Council
Working Group on the Universal Periodic Review
Forty-eighth session
Geneva, 20–31 January 2025

Summary of stakeholders' submissions on El Salvador*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 29 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Office of the Human Rights Advocate highlighted the decreased number of homicides and instances of forced displacement caused by gangs and criminal groups.³ It recommended ensuring that the families of detained persons have access to timely information about their conditions, ensuring full compliance with court orders for release and making the Guiding Principles on Internal Displacement the cornerstone of public action.⁴

3. The Office of the Human Rights Advocate welcomed the adoption of the General Water Resources Act but expressed concern about the significant gap in access to water between urban and rural areas,⁵ environmental degradation caused by deforestation, the authorization of environmental permits, disorderly territorial development, soil and water contamination from the use of agrochemicals and the loss of biodiversity.⁶ It recommended amending the Constitution to recognize the right to water and sanitation, reducing the gap in access to water in rural areas, prohibiting the use of pesticides, maintaining the ban on metal mining,⁷ as well as increasing the health budget to broaden healthcare coverage, improve infrastructure and ensure the availability of sufficient supplies and resources for quality care.⁸

4. The Office of the Human Rights Advocate expressed its concern that available information on violence against women was insufficient and out of date and that there was a lack of data on femicides owing to the confidentiality policies of some institutions.⁹ While it welcomed the adoption of the National Equality Plan 2021–2025, it found regrettable the

* The present document is being issued without formal editing.



absence of adequate mechanisms for mainstreaming the principle of equality and non-discrimination.¹⁰

5. The Office of the Human Rights Advocate recommended adopting affirmative action measures and legal reforms to ensure effective and timely reparations for female victims of violence or discrimination, building the technical capacities of the professionals responsible for their care and ensuring that they have access to specialized judicial bodies.¹¹

6. The Office of the Human Rights Advocate welcomed the entry into force of the Special Act on the Inclusion of Persons with Disabilities and recommended adopting regulations with a view to its effective implementation. It also highlighted the need to change negative perceptions of and attitudes towards older persons.¹²

III. Information provided by other stakeholders

A. Scope of international obligations¹³ and cooperation with human rights mechanisms

7. Several contributions recommended that El Salvador ratify the ICED, OP-CEDAW, and OP-CAT; create a National Mechanism for the Prevention of Torture; extend invitations and accept requests from Special Procedure mandate holders to visit the country, including the Working Group on Enforced or Involuntary Disappearances; the Working Group on Arbitrary Detention and the Special Rapporteur on the independence of judges and lawyers.¹⁴

8. JS7 recommended incorporating the UPR recommendations into human rights action plans and submit a midterm UPR report.¹⁵

B. National human rights framework

1. Constitutional and legislative framework

9. Some organizations recommended elevating the rights to food, water and sanitation, and identity, to constitutional rank.¹⁶

10. JS12 recommended harmonizing the domestic legislation with international human rights instruments¹⁷. Human Rights Watch (HRW) recommended aligning the Special Law Against Terrorist Acts, the Juvenile Criminal Law, the Law Banning Gangs, and other related laws, with international human rights standards.¹⁸

2. Institutional infrastructure and policy measures

11. JS12 was concerned about the lack of State institutions outside the sphere of influence of the executive branch and the fact that judicial mechanisms for the protection of human rights were ineffective.¹⁹

C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

12. According to JS16, the government's official discourse reinforced racial stereotypes by associating specific ethnic groups with criminal gangs.²⁰

13. JS6 suggested enacting comprehensive legislation prohibiting all forms of discrimination.²¹ The Inter-American Commission on Human Rights urged El Salvador to ratify the Inter-American Convention against All Forms of Discrimination and Intolerance.

14. The Inter-American Commission on Human Rights recommended including in the school curriculum content on equality, non-discrimination and civic coexistence in order to

promote a culture based on tolerance, peaceful conflict resolution, inclusion and respect for human rights.²²

Right to life, liberty and security of person, and freedom from torture

15. Many stakeholders were concerned that a state of emergency had been in force from 2022 suspending some fundamental rights including guarantees of due process, and had resulted in thousands of serious human rights violations, including arbitrary arrest, torture, and excessive use of force against the population.²³ According to HRW, the crime of “unlawful association” had been abusively used.²⁴ JS1 expressed its regret that there were very few preventative activities under the current severe security policy.²⁵

16. Amnesty International and JS3 noted that the state of emergency had led to the arbitrary detention of thousands of people, who lacked adequate contact with their lawyers and whose hearings were conducted on a mass and summary basis, often without evidence.²⁶

17. Some organizations raised concerns about allegations of deaths in State custody, torture and ill treatment, including against children, and about detainees under the state of emergency who were held incommunicado for weeks or months.²⁷

18. Several organizations recommended that El Salvador end the extension of the state of emergency and restore the suspended constitutional and procedural guarantees; comply with the absolute prohibition of torture and ill-treatment, end incommunicado detention; investigate all instances of harassment and arbitrary detentions committed by security forces in the context of protests and the state of emergency; and eliminate the armed forces’ role in public security tasks.²⁸ HRW recommended to develop and implement a rights-respecting security policy to dismantle gangs and protect the population from their abuses.²⁹

19. JS3 and HRW recommended that El Salvador review the cases of those detained during the state of emergency, prioritize prosecuting individuals responsible for violent crimes, and release those detained without sufficient evidence, and guarantee quality legal representation³⁰. JS3 The UPR-BCU recommended creating a comprehensive database of people in prisons and deaths in custody.³¹ AI recommended to investigate the conduct of members of the National Civil Police, the Armed Forces, and personnel of the General Directorate of Prisons, in relation to allegations of arbitrary detentions, excessive use of force, ill-treatment, and deaths in state custody.³² JS7 recommended to update existing human rights training for police and security forces, and to ensure the consistent application of international human rights standards, including the UN Basic Principles on the Use of Force and Firearms.³³

20. Some organizations expressed concern at poor prison conditions, including overcrowding, insufficient food and water, health, medical assistance and services, and access to sunlight. They recommended providing resources to the penitentiary centres and ensuring that detention conditions comply with international standards; reducing prison overcrowding by applying alternatives to incarceration, especially for children and vulnerable people; and allowing unrestricted access to organizations and the Human Rights Ombudsperson’s Office.³⁴

21. Mujeres-Libres expressed its concern about the increasing number of women in prison and the lack of gender-specific services and post-incarceration reintegration measures for women.³⁵ It recommended adopting policies that ensure decent detention conditions for women, including in the areas of hygiene and health, psychosocial support and gynaecological care; offer educational programmes within the penitentiary system that allow women to reintegrate into society and reduce recidivism; protect the rights of LGBTQI+ women in detention; and ensure that an ombudsman is able to monitor the situation of incarcerated women.³⁶

Human rights and counter-terrorism

22. JS16 was concerned at the increasing use of counterterrorism laws during the state of exception, targeting alleged activities of criminal gangs.³⁷

Administration of justice, including impunity, and the rule of law

23. JS12 expressed its concern regarding measures that threaten the independence of the judiciary and the separation of powers, such as the reform of the judicial career system and the removal of judges and alternate judges of the Constitutional Division whose term of office had been due to end in 2027.³⁸

24. Amnesty International was concerned about criminal and procedural reforms that undermined the right to a fair trial, such as the concealment of judges' identities, the automatic application of pretrial detention for gang-related crimes without an individualized analysis of the circumstances and mass hearings and trial.³⁹ Some organizations recommended repealing the regulations approved during the state of emergency that suspend safeguards and ensuring respect for the right to a fair trial and due process, encompassing the right of access to a lawyer, the possibility of challenging the lawfulness of detention and the guarantee of a fair sentence.⁴⁰

25. HRW recommended restoring judicial independence by conducting independent, fair, and transparent processes for selecting Supreme Court justices and the attorney general; and align the Judicial Career Law and the Organic Law of the Attorney General's Office with international human rights standards.⁴¹

26. The Inter-American Commission on Human Rights and JS10 expressed concern about the failure of El Salvador to comply with its international obligations in the area of truth and justice.⁴² JS10 and the University of El Salvador recommended adopting a transitional justice law focused on victims that complies with international standards and has an intersectional and gender focus, and expediting full compliance with the judgment on the unconstitutionality of the Amnesty Act.⁴³ JS10 and JS16 recommended preventing the enactment of provisions that lead to impunity for the persons responsible for crimes against humanity committed during the armed conflict and establishing independent mechanisms to monitor the progress of trials and compliance with reparations, ensuring due diligence in the investigation and punishment of such crimes and updating the reparations programme.⁴⁴ The Inter-American Commission on Human Rights recommended systematizing all relevant information to facilitate the search for and location of disappeared persons and making that information available to victims, the justice and search system and society as a whole.⁴⁵

27. JS10 and the University of El Salvador recommended developing a comprehensive historical memory plan that complies with the standards identified by the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence and establishing a national museum to commemorate the victims of the armed conflict.⁴⁶

28. JS3 recommended that El Salvador ensure compliance with the United Nations Convention against Corruption in its territory.⁴⁷

Fundamental freedoms and the right to participate in public and political life

29. Several organizations were concerned that, in the last five years, civic space had been significantly reduced, with increasing threats, attacks, and persecutions against human rights defenders, particularly environment defenders. Under the state of emergency, criminalisation of human rights defenders and journalists had involved the inappropriate application of anti-gang legislation; the use of spyware Pegasus, and amendments to the Penal Code to legalise the use of digital surveillance tools, endangering journalists' and their sources' rights. They regretted the lack of specific legislation and mechanisms to protect the journalistic work.⁴⁸

30. JS8 stated that protests were frequently disrupted by state security forces' roadblocks, and unions and community leaders had been arbitrarily arrested.⁴⁹

31. IM-Defensoras noted that, during the state of emergency, there had been a rise in the number of female human rights defenders challenging the arbitrary detention of their family members, making them a particularly at-risk group.⁵⁰

32. Several contributions recommended ensuring an enabling environment for civil society, in accordance with international law; aligning its security policies with its international obligations on freedom of expression and association; adopting a law and create

an autonomous national protection mechanism for human rights defenders; ending arbitrary detention of people for exercising their right to freedom of expression or peaceful assembly; and ensuring that human rights defenders and journalist carry out their legitimate activities without fear, undue obstruction, or harassment; and investigating, prosecuting and punishing those responsible for attacks against human rights defenders.⁵¹

33. JS7 recommended establishing transparent and inclusive mechanisms for public consultations with civil society and enable more effective involvement of civil society in the preparation of laws and policies.⁵²

34. Some stakeholders were concerned at restrictions on access to public information. They recommended ensuring access to information on projects that may affect the environment, including by establishing mechanisms to facilitate access to public information, in line with international best practices, so that the population knows the economic and institutional implications of the measures taken, including on the Thorium reactor nuclear power generation project.⁵³

35. According to JS1, religious leaders who had criticized current security policies or electoral reforms or worked with former gang members had been harassed, defamed and arbitrarily detained.⁵⁴ JS1 recommended preventing the criminalization and stigmatization of rehabilitation work carried out by religious groups.⁵⁵

Right to privacy

36. JS1 was concerned about the fact that, during the prolonged state of emergency, interception of private communications had been allowed without a court order.⁵⁶ JS2 referred to illegal home invasions.⁵⁷

Prohibition of all forms of slavery, including trafficking in persons

37. According to ECLJ trafficking in persons persisted and remained poorly documented, partly due to corruption practices among police officers and public officials collaborating with the traffickers⁵⁸. It stated that El Salvador's lack of resources for law enforcement had resulted in few human trafficking investigations.⁵⁹ ECLJ urged El Salvador to launch awareness raising campaigns on human trafficking and increasing resources to intercept traffickers and support victims and establishing comprehensive policies, programmes to prevent and combat trafficking in persons.⁶⁰

Right to work and to just and favourable conditions of work

38. JS9 stressed that the right to work in decent conditions has been violated as a result of privatizations for the benefit of large companies and to the detriment of sectors such as fishing, small-scale tourism and the informal businesses of local residents.⁶¹

39. JS13 expressed concern about the lack of a legal framework or adequate measures to ensure respect for labour and union rights, mass layoffs in public sector institutions and the harassment of union members.⁶² JS2 and JS13 highlighted that labour and union rights had been further undermined during the state of emergency.⁶³ JS13 recommended ending the persecution and criminalization of union leaders exercising their legitimate right to organize freely, ceasing mass layoffs and complying with outstanding orders to reinstate workers.⁶⁴ JS5 recommended providing employment opportunities and living wages to prevent irregular migration.⁶⁵

40. The Inter-American Commission on Human Rights recommended upholding the labour rights of and ensuring fair conditions for women working in domestic services and maquilas, especially in the textile industry under the home-based work scheme, ratifying the Home Work Convention, 1996 (No. 177), the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization (ILO) and implementing the ILO Home Work Recommendation, 1996 (No. 184) and the ILO Domestic Workers Recommendation, 2011 (No. 201).⁶⁶

41. JAI recommended investing in environmental initiatives that create jobs, including for those reintegrating after the criminal justice system and increasing agricultural productivity.⁶⁷

Right to an adequate standard of living

42. JS13 expressed concern about the fact that El Salvador had no public policy on housing and that many communities were threatened by forced evictions as a result of tourism and energy investment megaprojects.⁶⁸ It recommended passing a law that promotes the right to adequate housing,⁶⁹ conducting an analysis of the housing situation, especially irregular settlements, and developing regulations and public policies to protect this right and reduce the housing deficit.⁷⁰ JS2 recommended ensuring that dignified relocations were arranged in the event of expropriations.⁷¹

43. JS13 mentioned that national food production had declined, which had increased food insecurity.⁷²

44. The Inter-American Commission on Human Rights and JS13 were concerned about insufficient access to drinking water.⁷³ JS13 expressed concern that the State had little control over for-profit entities that provided drinking water services.⁷⁴ The Inter-American Commission on Human Rights recommended allocating resources for the establishment of a national authority to oversee access to water from a human rights perspective.⁷⁵ JS9 recommended opening inclusive forums for dialogue on proposals regarding access to water.⁷⁶

45. HRW urged El Salvador to address the root causes of criminal violence, such as poverty and lack of educational opportunities.⁷⁷

Right to health

46. JS13 reported that resource shortages, inadequate infrastructure and drug shortages threatened the quality and accessibility of medical care.⁷⁸

47. JS13 expressed concern about the increase in teenage pregnancies.⁷⁹ JS8 mentioned that access to contraceptives was limited, especially for women.⁸⁰ It found it to be regrettable that, despite the legal framework, a mandatory sex education programme had not been implemented.⁸¹

48. The Inter-American Commission on Human Rights recommended bringing the domestic regulatory framework into line with inter-American standards on the sexual and reproductive rights of women, girls and adolescents.⁸² Several organizations recommended adopting sex education policies and programmes at the national and local levels, with a particular focus on vulnerable populations and regions with high rates of sexual violence, including measures to promote access to modern contraceptives and campaigns to encourage changes in cultural patterns.⁸³

Right to education

49. The Universidad de El Salvador expressed concern that many educational facilities were in a precarious situation owing to scarce resources and vulnerability to natural disasters.⁸⁴

50. The Birmingham City University Centre for Human Rights, JS5 and JS13 expressed concern about illiteracy, low school attendance and increased dropout rates, especially in secondary education.⁸⁵ They recommended taking steps to increase the average number of years of schooling completed, designing and implementing a programme to reduce school dropout rates and incorporating a literacy programme into the National Education Policy, prioritizing those departments with the highest illiteracy rates.⁸⁶ JS5 recommended developing a comprehensive strategy to improve infrastructure and ensure quality education, especially for people in vulnerable situations, eliminating gender gaps and gaps between rural and urban areas and strengthening teaching skills in the use of technology for educational purposes.⁸⁷

51. JS13 and JS5 expressed concern about the insufficiency of the budget set aside for education and the low rate of coverage of higher education.⁸⁸ JS5 recommended progressively increasing the education budget to at least 6 per cent of gross domestic product and expanding the coverage of higher education.⁸⁹

52. JAI recommended investing in educational programmes for youth to avoid they join gangs and create environmental jobs focused on building climate change-resilient infrastructure.⁹⁰

53. The University of El Salvador noted that, during the state of emergency, university students had been detained on unfounded accusations. The prolongation of the state of emergency had indirectly undermined the right to higher education, as many young people, out of fear, had suspended their studies.⁹¹ The University of El Salvador recommended implementing public university programmes to ensure access to higher education for women.⁹²

Cultural rights

54. JS4 expressed concern that Indigenous languages had not been sufficiently promoted and that government initiatives in that regard had not involved the participation of Indigenous Peoples to a sufficient extent.⁹³ It recommended elaborating and implementing an intercultural education plan in coordination with Indigenous organizations.⁹⁴ JS2 recommended ensuring the preservation of the intangible cultural heritage of Indigenous Peoples.⁹⁵

Development, the environment, and business and human rights

55. JS2 noted that while El Salvador had a national climate change plan, that plan had not been prepared in a participatory manner.⁹⁶ Some organizations expressed concern that, beyond declarations, environmental protections were insufficient.⁹⁷

56. Several contributions expressed concern about environmental permits granted for urban development and mining projects and about sugar cane monoculture, which had contributed to the increased spread of diseases in the districts of Tecoluca and Jiquilisco because of the use of toxic agrochemicals. They also noted that the sugar cane agro-industry required excessive amounts of water and that the use of chemicals had contaminated soils and watersheds, affecting ecosystems and biodiversity.⁹⁸ JS9 was particularly concerned about the lack of protection for Lake Coatepeque.⁹⁹ JS11 noted that the Metal Mining Prohibition Act is not fully respected.¹⁰⁰

57. Several organizations recommended that El Salvador recognize the right to water and improve the quality and quantity of water, especially for the most vulnerable populations, with a special focus on women, and regulate the various uses of water as a common good¹⁰¹. JAI recommended prioritizing the population's water needs over those of private entities and corporations; and regulating commercial activities to ensure that water is not overused or polluted by private entities and create effective monitoring mechanisms.¹⁰²

58. Stakeholders also recommended addressing the pollution of watersheds and changing the model of crops and agricultural production, adopting environmentally responsible practices; and conducting studies on environmental and social impacts before granting permits for urban development, hydroelectric, mining, land-use changes, and monocultures.¹⁰³

59. JS11 recommended that El Salvador comply with its obligations under the Metal Mining Prohibition Act, especially in relation to the closure of mining liabilities.¹⁰⁴

60. JAI advised the government to invest in environmental initiatives that could generate numerous jobs.¹⁰⁵

61. JS15 suggested that El Salvador redouble its efforts to strengthen environmental regulations, in accordance with the international commitments made under the Paris Agreement and the Sustainable Development Goals.¹⁰⁶

2. Rights of specific persons or groups

Women

62. The Inter-American Commission on Human Rights noted that, despite legislative advances and institutional strengthening measures, it had received troubling information

regarding the high prevalence of violence against women, including femicides and sexual violence, which especially affected girls and adolescent women. Some contributions noted that the armed forces had been repeatedly singled out for sexual harassment and violence against women and girls, especially in the most vulnerable communities of the country, and during the state of emergency.¹⁰⁷ JS15 added that complaints from victims of domestic violence were not sufficiently addressed and precautionary protection measures were not adequately implemented.¹⁰⁸

63. JS16 noted that the government's security policies lacked a gender approach.¹⁰⁹ JS16 recommended incorporating and prioritizing women's right to a life free from violence in its security policies, both during and after the state of exception and investigate, prosecute and punish cases of violence against women.¹¹⁰

64. The Inter-American Commission on Human Rights and JS3 emphasized that the state of emergency had especially affected women, since they were the ones who undertook searches for their relatives in prisons and were responsible for meeting their needs and handling their legal proceedings. This was in addition to their responsibilities at home, which had been complicated by the breakup of their families and the loss of their partners' income.¹¹¹

65. The Inter-American Commission on Human Rights recommended strengthening the system for the protection of women and girls who are victims of violence, monitoring such violence, setting up a special reparations fund for these victims and establishing a network of shelters with sufficient resources.¹¹²

66. Several organizations were concerned about the fact that El Salvador maintained a total ban on abortion, punishing those who terminated their pregnancies with prison sentences of several years.¹¹³ They were concerned at cases of women convicted on charges of abortion, homicide, or aggravated homicide, including after miscarriages or obstetric emergencies.¹¹⁴

67. They urged El Salvador to decriminalize abortion in all circumstances, ensure safe and legal access to abortion, and provide comprehensive post-abortion care without discrimination or prosecution.¹¹⁵

68. Several organizations recommended implementing legal reforms to ensure that women are not prosecuted in cases of obstetric emergencies and to ensure respect for the presumption of innocence and the right to due process.¹¹⁶ JS8 suggested repealing the obligation of health professionals and public officials to report women for suspected abortion, thus protecting professional secrecy and medical confidentiality,¹¹⁷ and implementing the protocol on attention for women who require urgent medical care for obstetric emergencies, in accordance with the 2021 judgment of the Inter-American Court of Human Rights in the case of *Manuela v. El Salvador*.¹¹⁸

69. JS15 recommended strengthening the mandate of the Salvadoran Institute for the Advancement of Women as the lead entity in public policy on the human rights of women.¹¹⁹

70. The University of El Salvador recommended guaranteeing funding for programmes to reduce the gender gap¹²⁰ and implementing national policies and programmes to promote gender equality and equity.¹²¹

Children

71. JS3 pointed out that children and adolescents had suffered the direct consequences of the state of emergency, with the abrupt breakup of their families resulting from the arrest of their parents, which had left them with psychological trauma.¹²² JS5 expressed concern about the lack of protection programmes for children and adolescents affected by the detention of their parents or guardians.¹²³

72. Human Rights Watch (HRW) reported that numerous children were convicted during the state of emergency, primarily for gang membership, based on unreliable evidence.¹²⁴

73. JS5 and JS3 expressed concern about the fact that the reform of the Juvenile Offenders Act of 2022 had toughened prison sentences for minors.¹²⁵

74. JS5 recommended reversing reforms that favour punitive measures for adolescents accused of crimes and designing and implementing socio-educational programmes for adolescent offenders.¹²⁶

75. HRW recommended raising the minimum age of criminal responsibility to at least 14 years, as recommended by the Committee on the Rights of the Child.¹²⁷

76. JS5 highlighted the lack of available information on progress made in the implementation of the National System for the Protection of Infants, Children and Adolescents.¹²⁸

77. ECP noted that in El Salvador, corporal punishment of children remained lawful¹²⁹. ECP recommended enacting legislation to explicitly prohibit corporal punishment in all settings, in line with the recommendations of the Committee on the Rights of the Child.¹³⁰

Persons with disabilities

78. The Inter-American Commission on Human Rights noted that deaf people had been mistreated in detention during the state of emergency because of their difficulty in understanding verbal orders. It also highlighted the excessive use of force against persons with psychosocial disabilities who had breakdowns because of environmental stress and the death of one person with an intellectual disability in State custody.¹³¹

Indigenous Peoples

79. While it recognized that progress had been made,¹³² JS4 pointed out that discriminatory and exclusionary practices against Indigenous Peoples continued through public policies and programmes designed without their participation or prior consultation.¹³³

80. JS4 noted that in El Salvador there was no legal framework recognizing the specific rights of Indigenous Peoples, nor mechanisms to ensure their full protection and the preservation of their culture, traditions, values and assets.¹³⁴ Moreover, the State had not honoured its historical debt by returning ancestral lands to the Indigenous Peoples.¹³⁵

81. JS4 indicated that Indigenous women and young people continued to face inequality gaps in access to opportunities that would allow them to advance in their technical and academic training by facilitating their insertion into the labour market without detriment to their cultural identity.¹³⁶

82. JS1 mentioned that although El Salvador had passed the Culture Act, no regulations had been adopted, which undermined access to, protection of and respect for the sacred sites of Indigenous Peoples.¹³⁷

83. JS1 and JS4 recommended that El Salvador ratify the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), and conduct a consultation process with a view to adopting a secondary regulatory framework that would ensure recognition and compliance with the specific rights in that area recognized at the international level.¹³⁸ JS4 recommended carrying out pilot censuses of Indigenous Peoples and ensuring compliance with the United Nations Declaration on the Rights of Indigenous Peoples.¹³⁹

84. JS4 recommended establishing a mechanism to ensure dialogue with and the participation of Indigenous Peoples in the implementation of the National Health Policy for Indigenous Peoples and making all necessary efforts to eliminate discrimination and racism with regard to Indigenous health practices.¹⁴⁰

85. JS1, JS2 and JS7 recommended that El Salvador ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) to strengthen the regulatory framework on environmental issues in order to protect the territories and natural resources of Indigenous Peoples.¹⁴¹

Lesbian, gay, bisexual, transgender and intersex persons

86. Several organizations pointed out that despite legislative advances, LGBTIQI+ persons continued to face discrimination and violence.¹⁴² JS6 stressed that the public institutions in

charge of administering justice did not have specific protocols for the adequate follow-up of crimes or offences committed against LGBTQI+ persons.¹⁴³ JS6 expressed concern that there was a lack of legislation prohibiting all forms of discrimination based on sexual orientation and gender identity.¹⁴⁴

87. The Inter-American Commission on Human Rights reported that arbitrary detentions and abuses of power by State security forces had been carried out against LGBTQI+ persons, in particular transgender persons, during the state of emergency.¹⁴⁵ JS6 noted that the conditions in which LGBTQI+ prisoners were held were inhumane.¹⁴⁶ JS3 expressed concern about the lack of protection mechanisms for LGBTQI+ persons in detention.¹⁴⁷

88. JS6 stressed that as a result of systematic violence, many LGBTQI+ persons had been internally displaced or had migrated to other countries.¹⁴⁸

89. Some organizations recommended that El Salvador pass a gender identity law and called for the enactment of comprehensive legislation protecting gender identity and sexual orientation.¹⁴⁹

90. JS6 recommended that El Salvador strengthen justice institutions in order to carry out investigations into hate crimes against LGBTQI+ persons and punish those responsible for such attacks.¹⁵⁰

91. JS6 recommended adopting essential affirmative measures to overcome historical and structural barriers to the enjoyment of economic, social, cultural and environmental rights by LGBTQI+ persons.¹⁵¹

Migrants

92. JS3 expressed concern about the arbitrary detention of migrants during the state of emergency.¹⁵²

93. JS15 recommended establishing prevention policies for irregular migration, strengthening comprehensive programmes for returned migrants and creating employment alternatives, with an emphasis on areas with the highest prevalence of migration owing to the causes and effects of climate change.¹⁵³

94. The Inter-American Commission on Human Rights recommended adopting a public policy that ensures the effective and human-rights-based reintegration of returned migrants, paying special attention to migrants in vulnerable situations or with particular protection needs, such as children, victims of trafficking, persons with disabilities, LGBTQI+ persons, older persons and persons with medical needs.¹⁵⁴

95. The Inter-American Commission on Human Rights recommended strengthening transnational coordination in the search for missing and deceased migrants, including the strengthening of data-collection mechanisms, forensic data analysis and genetic banks, and improving consular services for Salvadorans abroad, especially those with international protection needs.¹⁵⁵

96. JS5 congratulated the Salvadoran Government for concluding a bilateral agreement to establish labour programmes and for adopting the Returnees Support and Reintegration Programme.¹⁵⁶

Internally displaced persons

97. The Inter-American Commission on Human Rights expressed concern about the structural causes of forced displacement in El Salvador.¹⁵⁷ JS2 and JS15 noted that a large number of internal displacements were the result of violence, conflict and climate change,¹⁵⁸ and the imposition of infrastructure and tourism megaprojects in the coastal region of the country.¹⁵⁹

98. The Inter-American Commission on Human Rights recommended ensuring that support and guidance were available for displaced persons through comprehensive human rights protection mechanisms.¹⁶⁰

99. JS6 recommended the establishment of an inter-agency technical committee and a single register of internally displaced persons.¹⁶¹

Notes

¹ A/HRC/43/5xx/x and [A/HRC/43/5/Add.1](#), and [A/HRC/DEC/43/102/2](#).

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

*Civil society**Individual submissions:*

| | |
|----------------------|--|
| AI | Amnesty International (London, United Kingdom); |
| Colectivo Alejandria | Colectivo Alejandria (San Salvador, El Salvador); |
| ECLJ | The European Centre for Law and Justice (Strasbourg, France); |
| ECP | End Corporal Punishment (London, United Kingdom); |
| HRW | Human Rights Watch (New York, United States of America); |
| IACHR-OAS | Comisión Interamericana de Derechos Humanos (Washington D.C., United States of America); |
| IM Defensoras | IM Defensoras (Tegucigalpa, Honduras); |
| Ipas LAC | Ipas Latinoamérica y Caribe (Mexico City, Mexico); |
| JAI | Just Atonement Inc. (New York, United States of America); |
| Mujeres Libres | Mujeres Libres (San Salvador, El Salvador); |
| PDDH | Procuradora para la defensa de los Derechos Humanos (San Salvador, El Salvador); |
| UES | Universidad del Salvador (San Salvador, El Salvador); |
| UPR-BCU | The UPR Project at BCU (UPR-BCU) (Birmingham, United Kingdom). |

Joint submissions:

| | |
|-----|--|
| JS1 | Joint submission 1 submitted by: Observatorio de Libertad Religiosa (OLIRE) (San Salvador, El Salvador) , Internatiornal Institute for Religious Freedom (IRRF) (Washington DC, United States of America) and Alianza Evangelica Mundial (WEA) (Geneva, Switzerland); |
| JS2 | Joint submission 2 submitted by: Coalicion Nacional por el Derecho A vivir en un Medio ambiente Sano (CONADAM)Asociación Generaciones de Paz (El Salvador),Equipo Impulsor Nacional del Acuerdo Escazu (El Salvador), Alianza de Uluas, Lencas y Nonualcos (El Salvador), Movimiento Indígena para La integración de las Luchas Ancestrales de los Pueblos (MILPA) (El Salvador), Coalicion Nacional del Llamado Global de acción contra la Pobreza (GCAP) (El Salvador), Grupo Impulsor Nacional de la Resolución 2250 (Agenda de Juventud, Paz y Seguridad) (El Salvador); |
| JS3 | Joint submission 3 submitted by: Centro Intercambio y Solidaridad (CIS) (San Salvador, El Salvador), Socorro Jurídico Humanitario (SJH) (San Salvador, El Salvador); |
| JS4 | Joint submission 4 submitted by: Consejo Coordinador Nacional Indigena Salvadoreno (CCNIS), Pueblo Nahua, Pueblo Lenka, Pueblo Kakawira ; |
| JS5 | Joint submission 5 submitted by: Red Para La Infancia y la Adolescencia (RIA) (San Salvador, El Salvador); |
| JS6 | Joint submission 6 submitted by: Asociacion Internacional de Lesbianas, Gays, Bisexuales, Trans e Intersex para America Latina y el Caribe (ILGA LAC), Asociación Comunicando y Capacitando a Mujeres Trans con VIH en El Salvador (COMCAVIS TRANS), La Red Regional de Información sobre Violencias LGBTI (Red Sin Violencia LGBTI), Asociación Casa Refugio Karla Avelar, asociación AMATE El Salvador, Asociación de Lesbianas de El Salvador Heidy |

- Lavinia (ALES-LAVINIA), Asociación Colectivo Perlas de Oriente, Federación Salvadoreña LGBTI;
- JS7 **Joint submission 7 submitted by:** CIVICUS: World Alliance for Citizen Participation, Red Latinoamericana y del Caribe para la Democracia (REDLAD), Red Salvadoreña de Defensoras de Derechos Humanos;
- JS8 **Joint submission 8 submitted by:** Centro de Derechos Reproductivos, Agrupacion Ciudadana por la Despenalización del Aborto;
- JS9 **Joint submission 9 submitted by:** Colectivo de Mujeres KAWOQ, Cicla 28, Asociacion de Mujeres AMUDESCON S.B Perulapia, Asociación Mujeres Ambientalistas de El Salvador AMAES, Mujeres independientes, ORMUSA, NAYARIT;
- JS10 **Joint submission 10 submitted by:** Mesa contra la impunidad en el Salvador (MECIES);
- JS11 **Joint submission 11 submitted by:** Mesa Nacional Frente a la Minería Metalica (MNFM), Fundacion de Estudios para la Aplicación del Derecho (FESPAD), Asociación para el Desarrollo económico y Social (ADES), Asociación de Comunidades para el Desarrollo de Chalatenango (CCR), Asociación para el Desarrollo de El Salvador (CRIPDES), Unidad Ecológica Salvadoreña (UNES);
- JS12 **Joint submission 12 submitted by:** Asociacion de Periodistas de El Salvador (APES),Cristosal, DIKE LGTBT+, Fundacion de Estudios para la Aplicación del Derecho (FESPAD), Fundacion para el Debido Proceso(DPLF), Instituto de Derechos Humanos de la UCA (IDHUCA), Mesa por el Derecho a Defender Derechos (MDDD), Red Salvadoreña de Defensoras, Servicio Social Pasionista (SSPAS) y ORMUSA;
- JS13 **Joint submission 13 submitted by:** Fundación de Estudios para la Aplicación del Derecho (FESPAD); Unidad Ecológica Salvadoreña (UNES); Mesa por la Soberanía Alimentaria (MpSA); Mesa Permanente por la Justicia Laboral (MPJL); Vía Campesina; Mesa Nacional Frente a la Minería Metálica (MNFM); Mesa por la Sustentabilidad de los Territorios de Sonsonate (MESUTSO); Asociación de Mujeres Ambientalistas de El Salvador (AMAES); Foro Nacional de Salud; Asociación de Estudiantes de Derecho “Roque Dalton”; Asociación Mujeres Libres;
- JS14 **Joint submission 14 submitted by:** Free Press Unlimited, Article 19;
- JS15 **Joint submission 15 submitted by:** Iglesia Luterana Salvadoreña (San Salvador, El Salvador), Federación Luterana Mundial (El Salvador);
- JS16 **Joint submission 16 submitted by:** Instituto de Derechos Humanos de la UCA (idhuca), Servicio Social Pasionista (SSPAS), Due Process of Law Foundation (DPLF), La Fundacion de Estudios para la Aplicación del Derecho (FESPAD), Asociación Organización de Mujeres Salvadoreñas por la Paz (ORMUSA), Plataforma por la Seguridad Ciudadana.

National human rights institution:

NHRC

Procuraduría para la Defensa de los Derechos Humanos de El Salvador, San Salvador, El Salvador

Regional intergovernmental organization(s):

CoE

The Council of Europe, Strasbourg (France);

³ PDDH, paras. 18 and 21.⁴ PDDH, para. 19.⁵ PDDH, para. 8.

⁶ PDDH, paras. 9, 10 and 11.

⁷ PDDH, paras. 9, 10 and 11.

⁸ PDDH, paras. 15, 16 and 17.

⁹ PDDH, para. 5.

¹⁰ PPDH, para. 6.

¹¹ PDDH, para. 7.

¹² PDDH, paras. 12 and 13.

¹³ The following abbreviations are used in UPR documents:

| | |
|------------|---|
| ICERD | International Convention on the Elimination of All Forms of Racial Discrimination |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| OP-ICESCR | Optional Protocol to ICESCR |
| ICCPR | International Covenant on Civil and Political Rights |
| ICCPR-OP 1 | Optional Protocol to ICCPR |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| OP-CEDAW | Optional Protocol to CEDAW |
| CAT | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| OP-CAT | Optional Protocol to CAT |
| CRC | Convention on the Rights of the Child |
| OP-CRC-AC | Optional Protocol to CRC on the involvement of children in armed conflict |
| OP-CRC-SC | Optional Protocol to CRC on the sale of children, child prostitution and child pornography |
| OP-CRC-IC | Optional Protocol to CRC on a communications procedure |
| ICRMW | International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families |
| CRPD | Convention on the Rights of Persons with Disabilities |
| OP-CRPD | Optional Protocol to CRPD |
| ICPPED | International Convention for the Protection of All Persons from Enforced Disappearance |

¹⁴ JS7, p. 14, HRW, p. 4 and 6.

¹⁵ JS7, para. 6.6.

¹⁶ JS13, p. 8, JS15, p. 12, Colectivo Alejandría, para. 4.1.

¹⁷ JS12, p. 15.

¹⁸ HRW, p. 3.

¹⁹ JS12, pp. 2 and 4.

²⁰ JS16, p. 3.

²¹ JS6, para. 7.2.

²² IACHR-OAS, pp. 24 and 26.

²³ AI, para. 4, JAI, para. 13, JS16, p. 5, JS5, p. 3, JS5, p. 3, JS5, p. 3, JS16, p. 5, 6, 9, 11.

²⁴ HRW, p. 5.

²⁵ JS1, paras. 21 y 26.

²⁶ AI, paras. 11 and 12 and JS3, para. 3.2.

²⁷ AI, para. 15, HRW, p. 3 and 4, JAI, para. 15, UPR BCU, p. 7, JS16, p. 9.

²⁸ AI, para. 23 and 25, UPR BCU, p. 9, HRW, p. 2–5., JS3, para. 7, JS5, p. 4., JS6, paras. 7–10, JS7, p. 14.

²⁹ HRW, p. 2.

³⁰ HRW, pp. 5 and 6, and JS3, para. 7.

³¹ UPR BCU, p. 9.

³² AI, para. 31, HRW, pp. 4 and 5, JS3, para. 4.3. See also JS16, p. 11.

³³ JS7, p. 14.

³⁴ AI, para. 24, HRW, pp. 4 and 5, UPR BCU, p. 7, JS1, para. 17, JS3, para. 4.5, JS14, p. 3, JS15, p. 7.

³⁵ Mujeres Libres, para. 6, 20.

³⁶ Mujeres Libres, para. 21, 22, 24–27, JS13, p. 8.

³⁷ JS16, pp. 7 and 8.

³⁸ JS12, pp. 3, 13.

- ³⁹ AI, para. 11.
- ⁴⁰ AI, para. 21, 24; JAI, paras. 22 and 23; JS1, para. 16; JS12, p. 15; JS3, para. 7.
- ⁴¹ HRW, p. 6.
- ⁴² IACHR-OAS, p. 19; JS10, p. 2.
- ⁴³ JS10, pp. 5, 25; UES, p. 3.
- ⁴⁴ JS10, pp. 5, 6, 8 and 9; JS16, p. 11.
- ⁴⁵ IACHR-OAS, p. 21.
- ⁴⁶ JS10, pp. 9 and 10; UES, p. 4.
- ⁴⁷ JS3, para. 7.
- ⁴⁸ AI, para. 16; IM-Defensoras, p. 4; JS2, p. 9; JS6, para. 2.2; JS7, pp. 3–9, 11; JS8, paras. 4–9; JS10, p. 2; JS12, p. 5, 8; JS14, pp. 2–4; JS15, pp. 6–7.
- ⁴⁹ JS8, paras. 5.3 and 5.4.
- ⁵⁰ IM-Defensoras, p. 3, 5, JS14, p. 5.
- ⁵¹ AI, para. 27, 28; HRW, p. 7; Colectivo Alejandria, para. 4.4; IM-Defensoras, pp. 6 and 7; JS1, para. 31; JS2, p. 12; JS7, p. 6, 13; JS12, pp. 14 and 15; JS14, p. 7; JS15, p. 12; JS16, p. 11.
- ⁵² JS7, p. 12, 14.
- ⁵³ JS3, VI; JS7, para. 4.11, JS8, para. 6.3; JS11, pp. 5, 6; JS14, pp. 4.
- ⁵⁴ JS1, paras. 18–22, 24, 27.
- ⁵⁵ JS1, para. 31.
- ⁵⁶ JS1, para. 14.
- ⁵⁷ JS3, para. 3.3, JS11, p. 8.
- ⁵⁸ ECLJ, para. 16.
- ⁵⁹ ECLJ, para. 17.
- ⁶⁰ ECLJ, paras. 9, 26.
- ⁶¹ JS9, p. 5.
- ⁶² JS13, pp. 3.
- ⁶³ JS12, pp. 12, 13 and 14; JS13, p. 3.
- ⁶⁴ JS13, p. 7.
- ⁶⁵ JS5, p. 8.
- ⁶⁶ IACHR-OAS, p. 24.
- ⁶⁷ JAI, pp. 8.
- ⁶⁸ JS13, p. 4.
- ⁶⁹ JS13, p. 7.
- ⁷⁰ JS13, p. 7.
- ⁷¹ JS2, p. 12.
- ⁷² JS13, p. 4.
- ⁷³ JS13, p. 2, IACHR-OAS, p. 20.
- ⁷⁴ JS13, p. 1.6.
- ⁷⁵ IACHR-OAS, p. 26.
- ⁷⁶ JS9, p. 7.
- ⁷⁷ HRW, pp. 2 and 3.
- ⁷⁸ JS13, p. 5.
- ⁷⁹ JS13, p. 5.
- ⁸⁰ UPR BCU, p. 5; JS8, p. 10.
- ⁸¹ JS8, p. 4.
- ⁸² IACHR-OAS, p. 23.
- ⁸³ Ipas LAC, p. 8; UPR BCU, p. 6; JS5, p. 14; JS8, pp. 11 and 12.
- ⁸⁴ UES, p. 3.
- ⁸⁵ UPR BCU, p. 5; JS5, p. 9, JS13, p. 6.
- ⁸⁶ JS5, p. 10; JS13, p. 8.
- ⁸⁷ JS5, p. 9.
- ⁸⁸ JS5, pp. 11 and 12.
- ⁸⁹ UES, p. 4; JS13, p. 8; JS5, pp. 12 and 13.
- ⁹⁰ JAI, para. 24.
- ⁹¹ UES, p. 2.
- ⁹² UES, p. 4, 5.
- ⁹³ JS4, pp. 5 and 6.
- ⁹⁴ JS4, p. 10.
- ⁹⁵ JS2, p. 12.
- ⁹⁶ JS2, p. 10.
- ⁹⁷ JS2, p. 4.
- ⁹⁸ JAI, para. 9; JS2, pp. 4–13; JS4, p. 6; JS9, pp. 2–6; JS11, pp. 2 and 3; JS13, p. 2.
- ⁹⁹ JS9, pp. 2–8; JS15, p. 11.

- 100 JAI, para. 6, 8; JS4, p. 7; JS9, pp. 5 and 6; JS11, p. 4; JS13, p. 6; JS15, p. 6.
101 JS4, p. 10; JS9, p. 7; 15, p. 12.
102 JAI, paras. 20 and 21; JS13, p. 7; JS15, p. 12.
103 JS2, p. 4, 12, 13; JS13, p. 7; JS11, p. 2, 3, 6; JS13; p. 7. JS4, p. 6, 10.
104 JS11, p. 6; JS13, pp. 6 and 7.
105 JAI, para. 26.
106 JS15, p. 12.
107 IACHR-OAS, p. 19, 365, 366–368; JS3, para. 6.2.
108 JS15, pp. 9 and 11.
109 JS16, p. 7.
110 JS16, p. 7.
111 JS3, para. 6.1; IACHR-OAS, p. 19.
112 IACHR-OAS, p. 23.
113 Ipas LAC, p. 1, 4; JS8, pp. 2 and 3.
114 Mujeres Libres, para. 11, 14; HRW, p. 7; JS8, pp. 2 and 3; JS13, p. 5; JS15, p. 10.
115 HRW, p. 7; Ipas LAC, p. 7; Mujeres Libres, paras. 21–23; UPR BCU, p. 6; JS8, p. 11; JS13, p. 8.
116 JS8, p. 11.
117 JS8, p. 11.
118 JS8, para. 11.
119 JS15, p. 12.
120 UES, p. 5.
121 UES, p. 5.
122 JS3, para. 6.6.
123 JS5, p. 4.
124 HRW, p. 5.
125 JS3, para. 6.7; JS5, p. 4.
126 JS5, p. 5.
127 HRW, p. 4.
128 JS5, p. 5.
129 ECP, p. 1.
130 ECP, p. 4.
131 IACHR-OAS, para. 380; see also JS3, para. 6.11.
132 JS4, pp. 9.
133 JS4, p. 7.
134 JS4, p. 3; JS13, p. 5.
135 JS2, p. 6.
136 JS4, p. 8.
137 JS1, para. 10.
138 JS1, para. 29; JS4, p. 5, 9.
139 JS4, pp. 9.10 and 11; JS13, p. 8.
140 JS4, p. 5, 9.
141 JS1, para. 30; JS2, p. 12; JS7, p. 4, 5 and 13.
142 UES, p. 2; Colectivo Alejandria, paras. 2.5, 3.1; JS6, paras. 1.2, 1.3, 1.9.
143 JS6, para. 3.1.
144 JS6, para. 5.2.
145 IACHR-OAS, para. 371.
146 JS6, para. 1.9.
147 JS3, para. 6.10.
148 JS6, para. 1.5.
149 HRW, p. 8; Colectivo Alejandria, para. 4.2; JS6, para. 7.1.
150 JS6, para. 7.8.
151 JS6, para. 7.14.
152 JS3, para. 6.12.
153 JS15, p. 12.
154 IACHR-OAS, p. 25.
155 IACHR-OAS, p. 25.
156 JS5, pp. 6 and 7. See also JS5, p. 7.
157 IACHR-OAS, para. 377.
158 JS15, p. 8.
159 JS2, p. 4, 11.
160 IACHR-OAS, p. 25.
161 JS6, para. 6.1.