



**Convention on the
Rights of the Child**

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**Written replies by the Government of El Salvador
to the list of issues (CRC/C/SLV/Q/3-4) prepared
by the Committee on the Rights of the Child in
connection with the consideration of the third and
fourth periodic reports of El Salvador
(CRC/C/SLV/Q/3-4)***

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Part I

- 1. Please indicate whether the Convention on the Rights of the Child has been invoked directly in domestic courts and, if so, please provide examples of such cases.**
 1. The Convention on the Rights of the Child (hereinafter, “the Convention”) is invoked directly in various judicial proceedings, both by the parties to provide grounds for their positions and requests, and by judges to substantiate their decisions.
 2. The following are some examples of judicial proceedings in which the Convention is constantly invoked:
 - (a) Family proceedings: recognition of paternity; personal care; relations and treatment; adoption; maintenance; and domestic violence proceedings, among others. In addition, the Convention is applied directly to ascertain the opinion of the child on the basis of his or her age and maturity, including at ages lower than that established in the Family Code (12 years);
 - (b) Proceedings under the Juvenile Criminal Code: to provide grounds for the application of non-custodial measures to adolescents in breach of the criminal law;
 - (c) Criminal proceedings: to provide grounds for the protection of child victims by declaring the proceedings confidential or applying other similar measures.
- 2. Please indicate how the Act for the Comprehensive Protection of Children and Young Persons contributes to the implementation of the Convention.**
 3. The Act for the Comprehensive Protection of Children and Young Persons is currently scheduled to enter into force on 16 April 2010.
 4. The most noteworthy feature of the new Act contributing to the implementation of the Convention is the proposed change from the guardianship model, ever-present in some form in the existing Family Code, to the comprehensive protection model: the Act promotes recognition of children and adolescents as subjects of law in accordance with the principles of equality and equity, as well as development of the obligations of the family, society and the State by virtue of the principle of co-responsibility.
- 3. In what ways does the State party consider that the Family Code must be adapted to the Convention?**
 5. El Salvador recognizes that there are some aspects of the Family Code that still need to be brought into line with the parameters of the Convention.
 6. In this connection, El Salvador acknowledges that it has still not complied with the recommendation of the Committee on the Rights of the Child concerning review and adjustment of the Family Code to provide for the possibility of concluding a marriage below the general minimum age of 18 years, with the appropriate minimum age laid down in national legislation being increased and boys and girls being treated equally in this respect.
 7. El Salvador also recognizes that national legislation needs to be adjusted in other areas, such as adoption.

4. Please explain what methods are used to make up the shortfall in investment in children, indicating how public spending is distributed between urban and rural areas, at the national and local levels, in rural and indigenous communities, and between boys and girls.

8. El Salvador is taking measures to ensure that fundamental rights in the fields of health, education and housing are realized and citizen and food security is strengthened through the implementation of the Government Plan 2009–2014.

9. Efforts are being made to ensure that the Budget Act is focused on the achievement of the following objectives:

- (a) Channelling resources to support for the most vulnerable groups;
- (b) Constructing an inclusive human system based on solidarity and co-responsibility of the State and society;
- (c) Guaranteeing that the commitments assumed by El Salvador in the context of the Millennium Development Goals are met;
- (d) Continuing to strengthen the Salvadoran educational system in order to increase school attendance, to guarantee and optimize the impact of the educational services at the various levels and to facilitate access to education by providing it free of charge;
- (e) Improving access to and quality of health services, expanding their coverage, particularly in rural areas; granting priority access to low-income groups, emphasizing disease prevention, reduction of child and maternal mortality and nutrition and breastfeeding and ensuring improved 24-hour, 7 days a week coverage by the health services through the Health Solidarity Fund (Fosalud).

10. At the local level, the 262 municipalities allocate resources for children and adolescents by investing in infrastructure and basic services for them and their families.

11. Action is also being taken under special support programmes for comprehensive child development. According to the study on municipal public investment and results associated with local development,¹ between 2003 and 2007, 6.9 per cent of projects carried out by the municipalities concerned matters such as scholarships, sporting events, patron saint festivals and contributions to local bodies. These projects mainly benefit children and adolescents.

12. The study notes the role played by the municipalities in developing health and sanitation, sport, education and cultural promotion investment projects. Sport accounts for 33 per cent of investment and includes construction or improvement of sporting facilities and contributions to local sport teams. Sanitation and primary health projects make up 29.2 per cent, including cleaning and improvement of health units and posts. Education receives 2.4 per cent of the resources, which go to construction and equipping of school centres. Cultural activities represent 12.5 per cent. Children and adolescents, and their families, are the beneficiaries of this public spending.

13. Most municipalities do not have a specific budget item for children and adolescents. In general, expenditure on the relevant activities comes under the budget line “Public services”.

¹ Prepared by the Dr. Guillermo Manuel Ungo Foundation for the Corporation of Municipalities of the Republic of El Salvador (COMURES).

14. We now face the challenge of achieving more detailed official analysis of public investment in children at the national and municipal levels, with statistics disaggregated by gender, area, campesino communities, indigenous peoples, etc.

5. Kindly furnish the Committee with updated information on the guiding role, resources and effective coordination capacity of the National Children and Adolescents Council (CONNA) provided for by the Act for the Comprehensive Protection of Children and Young Persons. How are the national and local levels coordinated?

15. As approved by the Legislative Assembly, the National Children and Adolescents Council (CONNA) is conceived as the supreme authority of the comprehensive protection system.

16. El Salvador is unable to provide information on the resources allocated to CONNA during the period under review since, as stated in paragraphs 3 and 4 above, the Act for the Comprehensive Protection of Children and Young Persons has not yet entered into force and there was therefore no call for a budget to be assigned to CONNA during 2009.

17. Similarly, it is not currently possible to give information on how coordination is ensured between the national and local levels, as provided for by the Act.

18. El Salvador will be in a position to provide such information once the Act has come into force.

6. Information is requested on the creation of departmental boards and municipal committees for the protection of children and adolescents and on their duties and the resources at their command for the implementation of the rights of the child.

19. For the reason given in the answer on issue 5, the departmental boards for the protection of children and adolescents and the local committees for the rights of children and adolescents, as provided for by the Act for the Comprehensive Protection of Children and Young Persons, are yet to be established, and therefore no resources were allotted to those bodies for implementation of the rights of the child in 2009.

20. Nevertheless, municipalities such as Nahulingo, Atiquizaya and Santa Tecla have formed local committees for children and adolescents and have granted them financial and/or technical support in managing funds for the conduct of their activities, which include organizing festivities, distributing toys and providing education on citizens' rights. Some municipal authorities, for example at Ayutuxtepeque, El Carmen, La Unión, Yucuyayquín and El Divisadero, are in the process of forming such committees.

7. Kindly supply additional information on the activities and resources available to the Office of the Procurator for the Defence of Human Rights and how it coordinates with other municipal human rights institutions. Is the Office of the Procurator authorized to receive complaints (including those from children themselves), process them and monitor policies concerning children?

21. The resources available to the Office of the Procurator for the Defence of Human Rights in respect of children, adolescents and young people are as follows (in United States dollars):

Item	Fiscal exercise		Total
	Jan.–Dec. 2008	Jan.–Oct. 2009	
Remuneration	88 634	69 827	158 461
Goods and services	10 600	6 200	16 800
Projects (external funds)	30 394	24 260	54 654
Total	129 628	100 287	229 915

22. The Office's activities include the following:

(a) "Citizens' rights in your municipality" knowledge competition, involving some 1,700 ninth-grade and upper secondary students in 25 municipalities across the country. This contest was conducted in coordination with the Guillermo Manuel Ungo Foundation, the Ministry of Education and the Corporation of Municipalities of the Republic of El Salvador;

(b) Institutional strengthening of the Office of the Procurator for the Defence of Human Rights in the Human Rights Academy for the promotion and dissemination (training and awareness-raising) of the human rights of children and adolescents. In this context, the "IIIrd course: human rights and education" was conducted for teachers at various levels of the educational system;

(c) The Juvenile Human Rights Dissemination Units, forming part of the institutional structure of the Office of the Procurator for the Defence of Human Rights, carried out the projects "Construction of the platform for children and young people" and "UNFPA support for the campaign of the Procurator's Office for accession to the Ibero-American Convention on Young People's Rights by the State of El Salvador in the context of the XVIIIth Ibero-American Summit";

(d) Presentation of the "Statement by the Procurator for the Defence of Human Rights with regard to the adoption of the Act for the Comprehensive Protection of Children and Young Persons"; "Position of the Procurator regarding the further investigation into the death of Katya Natalia Miranda Jiménez"; and "Statement by the Procurator for the Defence of Human Rights on the occasion of World Day against Child Labour".

23. In accordance with the constitutional and legal mandate established both in article 194 (I) of the Constitution of the Republic and the Office of the Procurator for the Defence of Human Rights Act, the Salvadoran Ombudsman has very broad powers to deal with violations of and threats to fundamental rights. In this connection, the Ombudsman is authorized both to receive complaints and to monitor policies concerning children.

24. Although the legal provisions applicable to the Procurator's Office do not explicitly authorize children to submit complaints, article 24 of the Office of the Procurator for the Defence of Human Rights Act states that anyone may submit complaints for alleged violations of human rights. This is consistent with article 12 of the Convention. Accordingly, children are assisted by officials of the Procurator's Office and their complaints are processed.

8. Please describe to the Committee the achievements of the "Welcome Home" (*Bienvenido a casa*) programme for children who are returning to El Salvador.

25. Originally, the "Welcome Home" programme was specifically geared to adults returning from the United States of America. However, it proved that children were also being returned, and as a result measures such as the following have been taken:

(a) Agreements have been signed with the United States providing that unaccompanied children and adolescents should not be returned under the Justice Prisoner and Alien Transportation System (JPATS) programme but by commercial flights;

(b) The return of unaccompanied children and adolescents is notified in advance, which facilitates inter-institutional coordination between the “Welcome Home” programme and the National Institute for the Comprehensive Development of Children and Adolescents (ISNA) to ensure that they are appropriately received and attended to;

(c) The programme has been expanded to cover the reception of unaccompanied children and adolescents not only from the United States but also from other countries including Mexico and Belize.

26. Other measures taken to protect unaccompanied children and adolescents returned to El Salvador are detailed below:

(a) The “Welcome Home” programme is currently being redesigned to extend coverage to people returned by land. All phases of the programme such as reception, integration into the labour market and awareness campaigns will be strengthened;

(b) At the XIVth Regional Conference on Migration, in July 2009, regional guidelines on dealing with unaccompanied migrant children and adolescents in the event of repatriation were approved, with a view to “promoting regional cooperation on protection and repatriation between countries members of the Regional Conference on Migration and serving as a guide, from the time when the persons concerned are detected until they are repatriated, subject to safeguarding of their rights and higher interests”;

(c) A memorandum of understanding for the dignified, secure and orderly repatriation of Central American nationals by land was signed between the United Mexican States and the Republics of El Salvador, Guatemala, Honduras and Nicaragua and was extended until the end of 2012 at the XIVth Regional Conference on Migration in July 2009. The relevant operating procedures were approved on the same occasion. The aim of the two documents is to facilitate the orderly, prompt and secure return of migrants, including children and adolescents held by the Mexican authorities;

(d) A Migrant Care Centre was set up at the La Hachadura border in July 2005 in order to furnish social and humanitarian assistance and human rights protection to vulnerable Salvadorans returning to the country. The Centre provides children and adolescents with temporary accommodation pending their transfer to ISNA staff, as well as food, upkeep and health care.

9. Please clarify the objectives and scope of prevention, rehabilitation and reintegration programmes/projects for gang members.

27. The National Council of Public Security is implementing the rehabilitation and social integration programme designed for former male gang members.

28. The aims of the programme include providing a rehabilitation option for former gang members who opt to exchange a life of violence for integration as a useful and qualified member of the community and society, as well as imparting work discipline.

29. In addition, efforts are being made to devise a model rehabilitation programme which can be reproduced in any municipality of El Salvador through cooperation among the Government, independent institutions, municipal administrations and private enterprise to prevent violence.

30. The care programme implemented by the Ministry of Justice and Public Security is characterized by an educational and psychosocial structure and geared to young people in conflict with the criminal law who are deprived of their liberty. It seeks to respond to the

legal requirement to take measures to instruct such individuals with a view to providing them with a basis for becoming contributing and respectful members of society who exercise rights responsibly.

31. To that end, “giving education and employment training to adolescents or young people deprived of their liberty in intermediate centres in El Salvador, through psychosocial activities designed to meet their basic needs for the duration of their detention, so as to contribute to their productive reintegration in society” is identified as the programme’s central objective.

32. This programme is designed on the basis that areas of work with the young people in conflict with the criminal law should meet not only legal but also professional and ethical requirements, with a view to empowering all of them with skills. It also draws on input from inter-institutional support networks for social reintegration and seeks to build a cultural identity among inmates, so as to foster a change of attitude which will give them a real possibility of exercising citizens’ rights and duties.

33. The programme aims, inter alia, to help the beneficiary population to construct and exercise the status of citizens in social and legal terms and prepares them for acquiring options and opportunities of social integration, in which respect by the young people for themselves and for their family and community, while exercising rights, will be their guiding principle in life. However, this can be achieved only in the framework of a progressive system of privileges which enables them to obtain their freedom and integrate into society with social skills permitting them to found a family, to be employed in the formal or informal labour sector and to enjoy the guarantees afforded to all citizens by the Constitution of the Republic.

34. Lastly, the programme provides for measures to encourage sustainability by promoting the commitment and involvement of adolescents and young persons detained in intermediate centres, combined with complementary action by the staff of these institutions to demonstrate marked empathy with the inmates but on the basis of defined institutional intervention, as well as their own monitoring and evaluation mechanisms and the appropriate follow-up indicators and instruments.

35. ISNA also conducts programmes for the rehabilitation and reintegration of gang members in the Social Reintegration Centres. Such programmes seek to ensure that the young people concerned are successful in reintegrating socially and are given support in regard to conduct, education, health, sports, etc.

36. The ISNA care programmes are as follows:

C.(1) Education

37. Under an agreement with the Ministry of Education the Institutional Education Boards operate within the ISNA Reintegration Centres.

38. The following modes of education are provided:

- (a) Distance learning;
- (b) Accelerated learning;
- (c) Presence learning.

39. All these modes of education have their own teaching staff, whether personnel of the Ministry of Education, ISNA or the Educame programme. Classes are provided from first grade to upper secondary level, and a leaving certificate is provided on completion of studies, legally authorized by the Ministry of Education.

C.(2) Vocational training

40. The following vocational training workshops are provided:

<i>Workshop</i>	<i>Tonacatepeque Social Reintegration Centre</i>	<i>El Espino Social Reintegration Centre</i>	<i>Ilobasco Social Reintegration Centre</i>	<i>Women's Social Reintegration Centre</i>
Carpentry	X		X	
Baking	X	X	X	X
Metal structures	X	X		
Tailoring	X	X		X
Ceramics			X	
Agriculture		X	X	
Computing			X	
Painting			X	

C.(3) Spiritual assistance

41. Both Catholic and Evangelical Churches assist by providing spiritual guidance, biblical studies, retreats and baptisms. All this helps the young people concerned to improve their conduct and education in the faith.

C.(4) Sports

42. Sports events are held in the Social Rehabilitation Centres.

C.(5) Health

43. Young people have access to the tattoo removal clinic, a service provided by Pro-Jóvenes.

C.(6) Psychological care

44. Psychological care is given on an individual or group basis according to the needs of the young person concerned. Personal self-help talks, individual therapy and personal motivation talks are provided.

C.(7) Social work

45. This includes visits, monitoring or links with the family, psychosocial studies, document management and administration of specialized medical care.

C.(8) Legal assistance

46. Guidance is provided on rights and duties and legal proceedings, as well as individual attention.

10. Please give more information on the human rights and juvenile justice training provided for police officers and juvenile detention centre officials (where children's rights violations have been reported). Please also supply information on the measures taken to investigate and punish police officers involved with criminal gangs and to make sure that they do not act with impunity.

47. With regard to training on human rights, the Committee is informed of the following:

(a) In January 2009, the Human Rights Academy of the Office of the Procurator for the Defence of Human Rights gave a course on "Human rights and the doctrine of comprehensive protection" at the National Public Security Academy. This training was provided for police officers as part of the course "Instruction in the rights of children and adolescents" organized by the Juvenile and Family Services Division of the National Civil Police;

(b) Module IX of the training programme in human rights and juvenile criminal justice for staff of the Juvenile Referral Unit of the Supreme Court of Justice;

(c) Inside the ISNA detention centres, training has been provided for counsellors, instructors, technical staff (social workers, psychologists and legal personnel) and administrative and security staff, focusing on such subjects as juvenile criminal law, the guardianship model and the protection model.

48. As regards the measures taken to investigate, punish and deny impunity to police officers involved with criminal gangs, the Office of the Public Prosecutor of the Republic set up a special unit in the San Salvador Prosecutor's Office concerned exclusively with the investigation of crimes committed by police officers and working directly with the Internal Affairs Unit of the National Civil Police. Moreover, each national prosecutor's office investigates cases brought against policemen involved in criminal activities. If the investigation proves complex, it is turned over to the specialized units of the Office of the Public Prosecutor of the Republic.

49. In addition, the legal mandate of the General Inspectorate of the National Civil Police makes it the State institution responsible for overseeing and controlling the activities of the police operational and management services, including matters relating to respect for human rights, and for ensuring that human rights are observed and guaranteed in any police procedure or service.²

50. Under its terms of reference, it is responsible for conducting investigations into offences committed by police personnel that affect the rights of children and adolescents, with a view to disciplining the police involved.

11. Please describe to the Committee how the National Commission for Culture and Art (CONCULTURA) promotes the identity and rights of indigenous peoples.

51. In order to encourage children, young people and adults to learn Nahuat, the project "Support for the teaching and learning of the Nahuat language in Santo Domingo de Guzmán" was implemented with financial support from the United Nations Educational, Scientific and Cultural Organization (UNESCO).

² Regulations pertaining to the National Civil Police Organization Act, art. 13; and Regulations of the General Inspectorate of the National Civil Police, art. 2.

52. Teaching materials were prepared and published to assist this process: 1,000 primers entitled “*Ne Nahuat Yúltuk*” (Living Nahuat), 100 copies of a “methodological guide” and 5 illustrated flipcharts.

53. The Indigenous Affairs Unit participated in the “Strengthening of the programme for revitalizing the Nahuat-Pipil language” project, in conjunction with the Don Bosco University and the Ministry of Education. The project covers 11 State schools in the areas of Pipil settlement, and textbooks Amatzin and Amachtí 1 and 2, a teacher’s guide and a pupil’s workbook, have been published for use in the schools concerned.

54. In order to promote indigenous identity, an annual Festival of Ancestral Náhuatl-Pipil Culture is held in Nahuizalco with the aim of enhancing knowledge of cultural roots, dress, language and other ethnic features. The indigenous communities play an active role in this event, performing a ritual ceremony in memory of their forebears who fought for the ancestral conservation of indigenist culture.

12. Please provide the Committee with more information on the care provided to street children and the preventive measures being taken.

55. Between 2007 and 2009, ISNA provided care to 720 street children, of whom 438 (60.83 per cent) were boys and 282 (39.17 per cent) were girls. Regarding age groups, most of the street children concerned were between 12 and 15 years old.

56. The action taken by ISNA includes socio-family guidance and support; reintegration into the home without follow-up; reintegration into the home with follow-up; family placement with follow-up; institutional placement; and institutional placement for a period of 30 days.

57. As part of its care programme for street children, ISNA has a centre where children and adolescents are provided with direct assistance in the following areas:

(a) Basic needs: clothing, food, health, psychological care, social care, family care and legal assistance;

(b) Protection: psychological care, education, health, vocational workshops, legal matters, recreation and sports;

(c) Home care: ISNA looks for families and other alternatives for street children once they have left the care centre. After discharge, there is outside follow-up to establish how the children or adolescents are faring in their family environment.

13. Please inform the Committee about the progress made and the current situation with regard to the search for children who disappeared during the internal armed conflict. Please provide information on the execution of the judgement of the Inter-American Court of Human Rights in the case of the disappearance of the Serrano Cruz sisters.

58. The so-called “Inter-institutional Commission to search for children who disappeared during the Salvadoran armed conflict” operated for four years until ceasing to exist on 31 May 2009.

59. Although the Inter-institutional Commission recorded some achievements, El Salvador recognizes that the Commission did not meet the standards required by the Inter-American Court of Human Rights in its judgement in the case of the sisters Ernestina and Erlinda Serrano Cruz, particularly in respect of the need for greater investigative resources in the search for children, guarantees of the independence of the Commission’s members, and representation of the victims in the Commission.

60. The Association for the Search for Disappeared Children, founded by the fondly remembered Father Jon Cortina S.J., petitioned the Legislative Assembly of El Salvador on

a number of occasions for the enactment of a legislative decree establishing a national search commission. However, these petitions were not approved during the Assembly's various proceedings.

61. Accordingly, El Salvador, through its new Executive, will promote the establishment by executive decree of a national search commission, respecting the standards for such a commission required by the Inter-American Court of Human Rights. The Minister for Foreign Affairs has informed the Association for the Search for Disappeared Children and the Inter-American Commission on Human Rights of this decision – the latter, at a hearing on five cases of disappeared children held in Washington, D.C. on 6 November 2009. The Ministry of Foreign Affairs has formulated a draft executive decree for the establishment of a national search commission, which is currently in the review phase and can be expected to be adopted in the reasonably near future.

62. In addition to the above decision, El Salvador, through its Minister for Foreign Affairs, has established an official dialogue with the Association for the Search for Disappeared Children, in furtherance of its obligations to comply with the judgement in the case of the Serrano Cruz sisters and with the Court's demands in other cases of disappeared children. It should be borne in mind that the Serrano Cruz judgement, although related to a specific case, contemplates a programme of reparation for all victims of enforced disappearance in El Salvador, including the creation of the aforementioned search commission, but also a webpage and the establishment of a genetic database. In the particular case of the Serrano sisters, progress has been made in medical care and in the approval of psychosocial attention by an expert known to the Serrano Cruz family. El Salvador wishes to inform the Committee of its determination to comply with these pending obligations in good faith and to the extent of its possibilities.

63. At the previously mentioned hearing of 6 November 2009 before the Inter-American Commission on Human Rights, El Salvador radically altered its former positions regarding the problem of children who disappeared during the armed conflict. It recognized the existence of a pattern of child disappearances during that period, fully acknowledged the rights of victims to truth, justice and reparation, and promised to endeavour to discharge in good faith its international human rights obligations in this matter.

64. In connection with that hearing, the Office of the Public Prosecutor of the Republic officially informed the Ministry of Foreign Affairs of its decision to conduct a criminal investigation into five cases of disappeared children which had not been adequately dealt with in the past, namely those of Santos Ernesto Salinas, José Rochac Hernández, Emelinda Hernández, Manuel Antonio Bonilla Osorio and Ricardo Abarca Ayala.

65. These changes hold out the prospect of a historic breakthrough in the search for disappeared children and in honouring and providing redress to the victims.

14. Please provide the Committee with a brief explanation of the current legislation in the State party concerning the prohibition of corporal punishment in the home.

66. The applicable legislation is the Family Code, which does not expressly prohibit corporal punishment. Article 215 of the Code provides that the father and mother have a duty to "adequately and moderately correct" their children.

67. Various courts concerned with family matters have ruled that corporal punishment goes beyond adequate and moderate correction and, consequently, that article 215 tacitly excludes the application of such punishment.

68. The Act for the Comprehensive Protection of Children and Young Persons, approved but not yet in force, does not expressly prohibit corporal punishment either, and El Salvador therefore acknowledges its obligation in this respect.

15. Please specify for the Committee which children-related issues the State party considers to be priorities requiring the utmost attention in the implementation of the Convention.

69. Regarding priority issues requiring the utmost attention to guarantee the implementation of the Convention, El Salvador has identified the following priorities, among others:

(a) The establishment and implementation of a national system for the comprehensive protection of children and adolescents whose primary goal is to guarantee the enjoyment of all rights;

(b) The formulation, implementation and execution of the national policy for the comprehensive protection of children and adolescents, a process which should guarantee prominent participation by children and adolescents and be based on a human rights approach;

(c) The formulation, implementation and execution of a national youth policy, with the participation of young people and a human rights approach;

(d) With the aim of ensuring equality, the social integration in all policies, programmes, plans and activities of children and adolescents who have disabilities or belong to indigenous peoples or whose rights have been infringed, inter alia;

(e) The intensification of efforts to increase national budgetary investment in protecting, guaranteeing and realizing the rights of children and adolescents;

(f) Strengthening national and local institutions in order to take account of the rights of children and adolescents.

Part II

1. New bills or laws

70. The Act for the Comprehensive Protection of Children and Young Persons was adopted on 26 March 2009.³ Its object is to guarantee the full exercise and enjoyment of the rights of Salvadoran children and adolescents.

2. New institutions and plans

71. New institutions conducting activities in favour of children and adolescents include the following:

(a) *Secretariat for Social Integration*

72. On 1 June 2009, the National Secretariat for the Family and the Secretariat for Youth were abolished and replaced by a new Secretariat for Social Integration (SIS).⁴

73. SIS is responsible for creating conditions for the development and protection of the family and the elimination of various forms of discrimination, while promoting social integration and the development of the civic action capacity of women, children, young people, adults, persons with disabilities and indigenous peoples.

³ Legislative Decree No. 839 of 26 March 2009, published in the Official Gazette No. 68, vol. 383, of 16 April 2009.

⁴ Executive Decree No. 1 of 1 June 2009, published in the Official Gazette, No. 99, vol. 383, of 1 June 2009.

74. SIS has a Directorate for Children and Adolescents and a Directorate for Youth, which work in coordination with each other.

75. The powers of SIS include the following:

(a) Providing a human rights approach in the formulation of public policy, with a view to eradicating discrimination and all forms of intolerance affecting persons and social groups and, where necessary, encouraging the implementation of affirmative action measures;

(b) Cooperating with the President of the Republic in his task of complying and ensuring compliance with treaties, laws and other legal provisions falling within his sphere of competence;

(c) Proposing to the President of the Republic the signature and ratification of, or accession to, international treaties or agreements contributing to social integration and to development of the civic action capacity of socially excluded groups;

(d) Advising the President of the Republic on all matters relating to the elimination of discrimination, social integration and civic action and suggesting that he should exercise his initiative to propose laws or issue regulations, decrees or agreements that contribute to the performance of his functions.

(b) *Secretariat for Culture*

76. Under Executive Decree No. 8,⁵ the Government of El Salvador established the Secretariat for Culture to replace the National Council for Culture and the Arts (CONCULTURA) with the aim of promoting a cultural change generating social processes directed towards a culture of creativity and knowledge that contribute to a society characterized by opportunity, equality and non-violence. In this connection, top priority is given to activities aimed, inter alia, at restoring historical memory, facilitating access to knowledge and cultural information and encouraging human values, particularly efforts geared to children and young people.

77. The Secretariat for Culture will implement the “Child Singers of El Salvador” project for the 8–14-year age group in order to promote the artistic and cultural development of children and young people and to create the conditions for democratizing the arts.

78. Efforts are also under way to establish juvenile expression facilities which will attract the attention and participation of Salvadoran children, adolescents and youths through musical and other events.

79. Among new plans, mention may be made of the following

(a) **Strategic plan of the National Committee against Trafficking in Persons, 2008–2012.**⁶ Activities under the Plan are based on a strategy of coordinated effort

⁵ Executive Decree No. 8 of 24 June 2009, published in the Official Gazette, No. 117, vol. 383, of 25 June 2009.

⁶ Membership of the Committee comprises the Ministry of Foreign Affairs, the Ministry of Education, the Ministry of Public Health and Social Welfare, the Ministry of Employment and Social Security, the Ministry of Finance, the Legislative Assembly, the Office of the Public Prosecutor of the Republic, the Office of the Attorney-General of the Republic, the National Institute for the Comprehensive Development of Children and Adolescents, the Salvadoran Institute for the Development of Women, the Institute of Forensic Medicine, the General Directorate for Migration and Aliens, the National Civil Police and the Secretariat for Social Integration.

covering various areas of activity aimed at eradicating trafficking in persons. The Plan envisages six strategic areas for action:

- (i) Prevention of trafficking in persons;
- (ii) Action against trafficking in persons;
- (iii) Care for victims and comprehensive protection for victims and survivors;
- (iv) Legal framework;
- (v) Institutional structure;
- (vi) Communication and awareness-raising.

(b) **The “Building Hope” Plan** promoted by the Ministry of Public Health and Social Welfare, whose aim is to guarantee the right to health for the entire Salvadoran population, particularly children, through a national health scheme that durably strengthens the public health sector and effectively regulates the private health sector, access to health promotion, care and rehabilitation and preventive care, and a healthy and secure environment including the establishment of a system of efficient and effective health care with equitable access to quality services.

3. Recently introduced policies

80. The Ministry of Education of El Salvador is working on the formulation and implementation of the following policies:

- (a) Free education up to the eleventh grade;
- (b) School meals up to the level of the third cycle, both in rural areas and in urban solidarity communities;
- (c) Initial education as part of the national educational system;
- (d) Expansion of preschool education coverage;
- (e) Flexible education methods;
- (f) Supply of uniforms and shoes to 100 per cent of State school students up to the ninth grade.

4. Recent programmes and projects and their scope

81. Recent programmes and projects include the following:

(a) *Programme of urban and rural solidarity communities*

82. This is a programme of the new El Salvador Government entailing a change in the conception of social policy. It is implemented as a programme of assistance to poor families living in the poorest 100 municipalities of the country.

(b) *Health and rights promotion project*

83. In 2007, the Ministry of Public Health and Social Welfare held five seminars with 285 adolescents and health staff and three intersectoral forums to publicize adolescents’ rights. The health personnel entered into commitments for ensuring the realization of rights and the adolescents reflected on joint working procedures.

84. In 2008, as part of Youth Year and as the host institution for the Ibero-American Summit on Youth, the Ministry held four forums prior to the Xth Health Ministers Convention, with the participation of 250 adolescents from various parts of the country, all

of them juvenile promoters trained by health institutions. At these forums, the adolescents had an opportunity to express their concerns and opinions regarding the observance of their rights, in response to one of the principles of the National Programme for Comprehensive Adolescent Health Care concerning development of active participation by adolescents and pursuant to the country commitments enshrined in the Convention on the Rights of the Child.

(c) *Campaigns⁷ against HIV/AIDS in El Salvador*

85. The following campaigns against HIV/AIDS have been conducted:

(a) “Take the HIV test; positive or negative, we are all humans in relation to AIDS”. This campaign was carried out for the first time in El Salvador in June 2007 and has since been repeated in June every year;

(b) “Protect yourself from HIV, fewer partnerships, less risk. Be faithful.” This campaign was launched in September 2008;

(c) “Campaign against discrimination; HIV does not discriminate.” Launched in May 2009.

(d) *Comprehensive community care project*

86. This is a community project that promotes health and nutrition by monitoring the weight gain of pregnant women and children under the age of 2. It encourages promotion and development through community participation and is carried out by volunteers, generally fathers or mothers. In addition to monitoring growth, and mother and child health, the project provides nutrition education through nutrition counselling by volunteer community advisers under the coordination and supervision of health promoters and institutional nursing personnel. Between 2007 and 2009, the project covered 26,158 children.

(e) *Baby-friendly Hospital Initiative*

87. The Baby-friendly Hospital Initiative (BFHI) is based on the Innocenti Declaration on the Protection, Promotion and Support of Breastfeeding. The aim is to reverse hospital practices interfering with the successful start of breastfeeding from birth and maintain exclusive breastfeeding until the sixth month of life.

88. Of the 28 national maternity hospitals currently in existence, 5 have been reaccredited, and a further 2 have been accredited. The remainder were accredited in 1992 and are working towards reaccreditation as child- and mother-friendly hospitals.

(f) *Mother- and Child-friendly Health Units (USANYM) project*

89. Although this initiative was made official in 2004, only in 2007 did the process of accrediting health units as child- and mother-friendly begin.

90. In 2009, there was a total 23,355 consultations on breastfeeding and supplementary feeding, reinforcing nutrition education among mothers in order to guarantee exclusive and prolonged breastfeeding of the child up to the age of 2, accompanied by satisfactory food supplements.

⁷ Campaigns financed both from national and international funds.

(g) *Food security projects*

91. These projects include:

- (a) Food supplements for children under the age of 5, pregnant women and breastfeeding women in 14 particularly poor and vulnerable municipalities;
- (b) Monitoring of fortified foods;
- (c) Nutritional care for children under the age of 5 and pregnant mothers in municipalities that are especially vulnerable in nutrition terms.

(h) *Ministry of Education projects*

92. The Ministry of Education is implementing a number of projects, including:

- (a) Academic improvement in English;
- (b) Enhancement of educational infrastructure;
- (c) Improvement of education technology;
- (d) Equipping and operating 600 computer rooms;
- (e) Improvement in mathematics and language;
- (f) Diversification of technical secondary education;
- (g) School protection plans for the development of environmental education and risk management;
- (h) Educational programmes in solidarity communities in extreme rural and urban poverty;
- (i) Education with community participation;
- (j) Comprehensive prevention strategy in schools situated in areas of high social risk;
- (k) Organization of the inter-institutional network for the prevention of sexual harassment and abuse in the educational system, with the participation of non-governmental organizations and international organizations.

(i) *Projects for the creation of new cultural development facilities under the aegis of the Secretariat for Culture*⁸

93. The Secretariat for Culture has the following projects:

- (a) Increase in the number of Houses of Culture to 186;
- (b) Programme to promote the reading habit;
- (c) Awareness-raising seminars on human values and the environment;
- (d) Cultural contests in various branches of the arts;
- (e) Summer courses;
- (f) Youth Symphony Orchestra;
- (g) Schools of classical, modern and traditional dance;

⁸ Formerly, CONCULTURA.

(h) A National Arts Centre, 60 per cent of whose students of theatre, music and the plastic and visual arts are between 4 and 18 years of age;

(i) Improvement of cultural facilities, including:

- (i) Three recreation parks;
- (ii) A National Zoo;
- (iii) Seven museums;
- (iv) Six archaeological parks.

(j) *Ternura programme*

94. The Ternura programme was implemented by the now extinct National Secretariat for the Family in coordination with various governmental and non-governmental bodies. Its aim was to contribute to human security in El Salvador and to serve as a vehicle for efforts to improve the living conditions of the Salvadoran family, especially children, in the context of protection of their rights. Specific goals included promotion of the psychosocial development of children and adolescents with healthy lifestyles through comprehensive family care and prevention and eradication of sexual abuse against children and promotion of child care in the family and the community, with priority being given to stimulation of development, breastfeeding, prevention of burns, prevention of traffic-accident deaths, prevention of the use of addictive substances, and prevention of HIV/AIDS.

(k) *Child labour prevention programmes*

95. The Ministry of Agriculture and Livestock has carried out various activities to prevent child labour. In 2007, within its sphere of competence, it provided training on the worst forms of child labour to students, teachers and parents at the National School of Agriculture, as well as giving talks to increase awareness of this phenomenon among technicians and members of irrigation associations. It has also provided training on crop technologies to children at the El Sunza cooperatives, the implementation of productive mollusc projects and alternative projects.

96. During 2008 and in 2009 to date, the Ministry gave training to adults, young people and children in productive farming projects not rated as high-risk in order to contribute to the eradication or reduction of child labour, as well as awareness-raising talks to technicians and members of irrigation associations designed to reduce the worst forms of child labour. Instruction was also given to mothers and fathers regarding this offence. In addition, technical assistance is provided in the cultivation and use of various species of bamboo in the food and handicrafts sectors. Moreover, projects have been conducted for Anadara spp and oyster farming in the Pacific with fishermen and model fishermen communities.

Part III

1. **Please provide disaggregated data (by gender, age, indigenous peoples, groups of persons with disabilities, and urban and rural areas) covering the years 2007, 2008 and 2009 on the number of children under 18 living in the State party and the percentage of the population that they represent.**

97. According to data from the General Directorate for Statistics and Censuses (DIGESTYC) and the VIth population census and the Vth housing census of 2007, El Salvador has a population of 5,744,113 persons, 2,321,631 of whom, or 40.4 per cent, are aged 17 or less.

Persons with disabilities under the age of 18, by gender, area and age group

<i>Area and age group</i>	<i>Gender</i>		
	<i>Total</i>	<i>Men</i>	<i>Women</i>
Total	31 263	17 494	13 769
0-4	9 152	4 811	4 341
5-9	7 268	4 148	3 120
10-14	9 288	5 311	3 977
15-17	5 555	3 224	2 331
Urban	16 321	9 108	7 213
0-4	4 289	2 292	1 997
5-9	3 879	2 217	1 662
10-14	5 116	2 889	2 227
15-17	3 037	1 710	1 327
Rural	14 942	8 386	6 556
0-4	4 863	2 519	2 344
5-9	3 389	1 931	1 458
10-14	4 172	2 422	1 750
15-17	2 518	1 514	1 004

Source: DIGESTYC, 2007 Census.

Population under the age of 18 with disabilities, by area and gender and in percentages

<i>Area and gender</i>	<i>Children and adolescents in El Salvador</i>			
	<i>With disabilities</i>	<i>Without disabilities</i>	<i>Total</i>	<i>Percentage</i>
Total	31 263	2 290 368	2 321 631	1.35
Boys	17 494	1 162 109	1 179 603	1.48
Girls	13 769	1 128 259	1 142 028	1.21
Urban	16 321	1 322 435	1 338 756	1.22
Boys	9 108	669 006	678 114	1.34
Girls	7 213	653 429	660 642	1.10
Rural	14 942	967 933	982 875	1.52
Boys	8 386	493 103	501 489	1.67
Girls	6 556	474 830	481 386	

Source: DIGESTYC, 2007 Census.

98. El Salvador admits that it is unable to provide data on children and adolescents belonging to indigenous peoples, since the population census excluded the incorporation of statistics on indigenous peoples in general and on indigenous children and adolescents in particular. The State assumes its international responsibility for the omission, and the new Government of El Salvador pledges that, in future, it will take action to comply with the recommendations of the Committee on the Elimination of Racial Discrimination, the

Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child.

2. **In the light of article 4 of the Convention, please furnish additional disaggregated data for 2007–2009 on budget allocations for the implementation of children’s rights and on trends in this connection (in absolute figures and as percentages of the national budget), as well as on allocations provided to local authorities. Please also evaluate the priorities placed on budgetary expenditures for the following:**

- (a) *The National Institute for the Comprehensive Development of Children and Adolescents, as the body responsible for coordinating the implementation of the Convention, and steps taken by the State party to ensure funding for CONNA*

99. Budget allocations by ISNA, in absolute figures and as percentages of the national budget, are as follows:

<i>Institution</i>	<i>Resources allotted (in dollars)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>
National Institute for the Comprehensive Development of Children and Adolescents	12 434 750	12 985 465	13 803 370
Total general State budget	2 943 997 970	3 342 734 350	3 627 837 300
Percentage	0.42	0.39	0.38

Source: Ministry of Finance.

- (b) *Education (different levels of education, i.e. preschool, primary and secondary)*

100. El Salvador has allotted the following budgetary resources to education:

<i>Educational level</i>	<i>Resources allotted (in dollars)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>
Preschool education	40 199 575	44 793 540	53 073 685
Primary education	304 961 610	340 364 065	378 354 835
Secondary education	35 099 930	41 725 825	50 465 335
Institutions subsidized by Ministry of Education	11 194 155	20 457 395	22 866 200
Total	391 455 270	447 340 825	504 760 055
Total general State budget	2 943 997 970	3 342 734 350	3 627 837 300
Percentage	13.3	13.38	13.91

Source: Ministry of Finance.

- (c) *Health care (different types of health services, i.e. primary health care, vaccination programmes, campaigns against HIV/AIDS, the strategy for combating malnutrition and other health-care services for children and adolescents)*

101. The budgetary allocations for health care are as follows:

<i>Institution</i>	<i>Resources allotted (in dollars)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>
Primary care (total cost)	79 797 000	85 207 200	97 918 350
Vaccination programme	4 652 610	4 652 610	5 002 445
Campaign against HIV/AIDS	1 688 650	1 688 650	1 468 815
Benjamin Bloom National Children's Hospital	18 048 960	19 695 715	21 792 090
Dr. Raúl Arguello Escolan National Maternity Hospital	9 856 885	10 307 500	11 621 715
Total health care	114 044 105	121 551 675	137 803 415
Total general State budget	2 943 997 970	3 342 734 350	3 627 837 300
Percentage	3.87	3.64	3.80

Source: Ministry of Finance.

102. The Ministry of Education has conducted various campaigns against HIV/AIDS, with the following investment:⁹

<i>Actions</i>	<i>Resources allotted (in dollars)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>
"Education for Life" programme	79 787.64	171 119.50	169 866.17

Source: Ministry of Education.

103. The Ministry of Education has also taken measures to combat malnutrition among children and adolescents in the education system, with the following investment:¹⁰

<i>Actions</i>	<i>Resources allotted (in dollars)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>
School meals programme for children and adolescents in preschool, primary and secondary education	91 281 227.54	16 319 919.94	10 433 674.00

Source: Ministry of Education.

(d) *Programmes and services for children with disabilities*

104. ISNA has a Special Education Centre catering to children and adolescents with disabilities. As of 31 October 2009, 45 girls and 60 boys were enrolled in this Centre.¹¹

⁹ Not financed by the national budget – investment comes from international cooperation funds.

¹⁰ Financing shared between the national budget, the Fantel scholarship programme for higher education and trust funds.

¹¹ The services provided by the Special Education Centre of ISNA are as follows:

(a) Out-patient care for children requiring therapy at the Teletón Foundation for Rehabilitation (FUNTER). The children are taken to the Foundation for periodic check-ups.

105. El Salvador is unable to furnish disaggregated data on the budget allocation for the Special Education Centre of ISNA, since the budget resources for protection are assigned globally.

106. Children and adolescents can also receive care at the Salvadoran Institute for the Rehabilitation of Invalids (ISRI),¹² although El Salvador recognizes that this is not enough to meet demand from all persons with disabilities.

107. Resource allocations to ISRI are as follows:

<i>Institution</i>	<i>Resources allotted (in dollars)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>
Salvadoran Institute for the Rehabilitation of Invalids (ISRI)	7 152 000	7 564 010	8 094 340
Total general State budget	2 943 997 970	3 342 734 350	3 627 837 300
Percentage	0.24	0.23	0.22

Source: Ministry of Finance.

108. The Ministry of Education, for its part, has made the following investments to cater to the rights of children and adolescents with disabilities:

<i>Programme</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>Beneficiaries</i>			
				<i>2007</i>	<i>2008</i>	<i>2009</i>	
Educational support classrooms service				20 000 pupils	21 000 pupils	21 600 pupils	Meza Ayau
Induction courses for new teachers	\$105 000.00	\$100 000.00	\$100 000.00	180 teachers	180 teachers	180 teachers	
Teacher training Sonsonate Department	\$1 000 000.00	\$1 000 000.00	\$150 400.00	1 900 students	2 000 students	2 195 students	Italian cooperation agency

(b) Diagnosis and care in the area of physiotherapy (physical therapy and occupational therapy).

(c) External care and coordination: child and adolescent care is coordinated with health units and hospitals providing specialized care for their various problems.

There are also programmes for children and adolescents with disabilities who are institutionalized:

(a) Educational programme: instruction is given from preschool level I to level III.

(b) Vocational workshops programme: at these workshops, vocational training is provided in such areas as baking, tailoring and handicrafts.

(c) Recreational-educational programme: this consists of healthy leisure activities, social events, music and singing.

¹² ISRI has a Comprehensive Rehabilitation Centre for Children and Adolescents (CRINA) for diagnoses in the following areas: premature birth, infant cerebral palsy, motor retardation, Down syndrome, mental retardation, autism, mielomeningocele, Arnold-Chirari syndrome, cranioencephalic trauma and Guillain-Barré syndrome. Among the programmes provided are: hydrotherapy, canine therapy, therapeutic swimming pool, electrotherapy, and manufacture and adjustment of special chairs.

Programme	2007	2008	2009	Beneficiaries			
				2007	2008	2009	
Grants for special programmes	\$709 113.40	\$413 015.00	\$920 431.00	22 490 pupils	24 040 pupils	26 971 pupils	Government of El Salvador
				220 teachers	230 teachers	249 teachers	
Total	\$1 834 513.40	\$1 670 915.00	\$1 297 832.00				

- (e) *National and local support programmes and protection for children who need alternative care, including support for residential care institutions and foster families*

109. Unfortunately, it is not possible to identify resources for such programmes through the General Budget Act. ISNA indicates that it has no budgetary allocation to support residential care institutions or foster families.

- (f) *Support for children and families living below the poverty line, including the impact of conditional cash transfer programmes*

110. The following table shows the amounts paid in rural solidarity community vouchers, in absolute terms and percentages of the total national budget for the years 2007, 2008 and 2009.

Description	2007	2008	2009
Total budget approved, by year	2 943 997 970	3 342 734 350	3 627 837 300
Budget	6 648 050	11 116 520	14 175 482
Percentage of Fund for Social Investment in Local Development (FISDL) budget in relation to total budget	0.002	0.003	0.004

111. Cash transfers have been made conditional on compliance with certain responsibilities. In accordance with the “Solidarity Network assessment” external impact,¹³ “this transfer, or ‘voucher’, is intended to be an effective incentive to the recipients to send their children to school or take them for health check-ups. Consequently, this is a fundamental feature of the present assessment.

112. The cash transfer or voucher is an effective incentive for ensuring compliance with the conditions.

113. An analysis of the replies obtained from surveys of the beneficiaries and key informants shows, first, that the voucher is an effective incentive for securing compliance with the responsibilities of the household. One of the reasons for meeting the conditions under which the voucher is granted is that the amount of money they receive to some extent offsets the cost of sending the child to school”.

114. The Ministry of Education, for its part, has continued to carry out activities in support of the Networks, one of which is the transfer of the school budget for the operation and functioning of the associated educational centres as additional funding.

¹³ Network user satisfaction survey prepared by the International Food Policy Research Institute (IFPRI)/ Salvadoran Foundation for Economic and Social Development (FUSADES) in September 2009.

115. Annual investment in the implementation of projects to improve daily attendance by pupils, encourage them to remain in school and enhance their academic performance was as follows:

<i>Educational centres</i>	<i>Resources allocated (in dollars)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009</i>
Care for pupils from preschool to upper secondary level (total cost)	27 874 028.27	31 107 008.00	Data not yet processed
No. of educational centres	303	770	771

Source: Ministry of Education.

- (g) *Programmes and activities for preventing child abuse, trafficking in children, sexual exploitation, the use of children in pornography and child labour, and for protecting children from such abuses*

116. Although it has carried out programmes and activities for preventing child abuse, trafficking in children and sexual exploitation, El Salvador is unable to provide data on the investment made, with the parameters and on the terms required by the Committee, because the amounts are allocated globally by institution.

- (h) *The prevention of juvenile delinquency, rehabilitation, reintegration and social integration*

117. The amount of the budget line “Social prevention of violence and juvenile delinquency” of the Office of the President of Republic has been as follows:

<i>Description</i>	<i>Source of financing</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>
Total budget approved by year	General fund	2 943 997 970	3 342 734 350	3 627 837 300
Social prevention of violence and juvenile delinquency (I)	General fund	714 845	714 845	732 780
Social prevention of violence and juvenile delinquency (II)	Donation	2 500 000	225 545	312 075
	Total	3 214 845	940 390	1 044 855
Percentage of budget for violence and juvenile delinquency prevention in relation to total budget		0.11	0.03	0.03

Source: ISNA.

3. With reference to ill-treatment of and violence against children, please provide disaggregated data (by age, gender, minority and indigenous groups, and types of violations reported) covering the years 2007, 2008 and 2009, on the following:

118. To date, as El Salvador recognizes, data have unfortunately not been collected on the basis of criteria that would enable victim data to be disaggregated by minority and indigenous groups. Efforts will be made to remedy the situation in the future.

- (a) *Number of reported cases of ill-treatment of and violence against children*

119. Data on the number of reported cases of ill-treatment and violence are given separately, depending on whether they have been dealt with by the judiciary or by ISNA.

120. According to the judiciary, the following complaints were processed in 2007, 2008 and 2009:

Complaints by age group

(2007–Sept. 2009)

Category	0 to < 3	3 to < 6	6 to < 9	10 to < 15	15 to < 18	Total
	years	years	years	years	years	
Fundamental rights of children and adolescents	71	57	86	138	87	439
Protection of children and adolescents	334	267	349	529	287	1 766
Domestic violence	428	11	22	58	125	664
Total	883	335	457	725	449	2 849

Complaints by gender

(2007–Sept. 2009)

Category	2007			2008			2009 (up to September)		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
Fundamental rights of children and adolescents	63	45	108	134	118	252	45	34	79
Protection of children and adolescents	440	349	789	334	233	567	208	202	410
Domestic violence	243	41	284	189	42	231	105	24	129
Total	746	435	1 181	657	393	1 050	358	260	618

Complaints by region

(2007–Sept. 2009)

Category	2007					2008					2009				
	Foreign	Unrecorded	Rural	Urban	Total	Foreign	Unrecorded	Rural	Urban	Total	Foreign	Unrecorded	Rural	Urban	Total
Fundamental rights of children and adolescents	0	10	12	86	108	0	17	8	227	252	0	9	1	69	79
Protection of children and adolescents	0	111	261	417	789	1	77	139	350	567	1	46	127	236	410
Domestic violence	0	40	28	216	284	0	12	28	191	231	0	7	16	106	129
Total	0	161	301	719	1 181	1	106	175	768	1 050	1	62	144	411	618

121. Data collected by ISNA for the period from 2007 to September 2009 are as follows:

Child and adolescent victims of sexual abuse in ISNA care

2007, 2008 and Jan.–Sept. 2009

Age groups	2007			2008			Jan.–Sept. 2009		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
0 to < 3 years	3	1	4	5	1	6	3	1	4
3 to < 6 years	27	9	36	19	14	33	10	7	17
6 to < 9 years	27	11	38	40	11	51	29	11	40
9 to < 12 years	63	8	71	56	11	67	45	7	52
12 to < 15 years	145	5	150	142	9	151	83	5	88
15 to < 18 years	67	0	67	69	2	71	46	2	48
18 years and above	0	0	0	3	0	3	1	0	1
Total	332	34	366	334	48	382	217	33	250

Source: Child Information System (SIPI), ISNA, El Salvador, October 2009.

Child and adolescent victims of ill-treatment in ISNA care

2007, 2008 and Jan.–Sept. 2009

Age groups	2007			2008			Jan.–Sept. 2009		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
0 to < 3 years	23	29	52	21	24	45	8	16	24
3 to < 6 years	36	38	74	33	35	68	15	22	37
6 to < 9 years	57	59	116	52	57	109	18	30	48
9 to < 12 years	67	62	129	55	52	107	22	21	43
12 to < 15 years	61	36	97	66	37	103	45	29	74
15 to < 18 years	41	9	50	31	10	41	20	3	23
18 years and above	0	1	1	3	1	4	1	0	1
Total	285	234	519	261	216	477	129	121	250

Source: Child Information System (SIPI), ISNA, El Salvador, October 2009.

Population entering or re-entering ISNA protection and care

2007, 2008 and Jan.–Sept. 2009

Period	2007		2008		Jan.–Sept. 2009	
	Children and adolescents	%	Children and adolescents	%	Children and adolescents	%
Neglect	848	17.3	762	18.1	426	10.1
Illegal exit from the country	1 058	21.6	645	15.3	504	12.0
Behavioural problems	630	12.8	600	14.2	380	9.0
Ill-treatment of children	526	10.7	483	11.5	250	5.9
Sexual abuse of children	370	7.5	387	9.2	250	5.9
Personal care and protection	357	7.3	330	7.8	347	8.2
Street children and vagrants	318	6.5	281	6.7	249	5.9
Abandonment	247	5.0	242	5.7	149	3.5
Problems of family and child	180	3.7	179	4.2	136	3.2

<i>Period</i>	<i>2007</i>		<i>2008</i>		<i>Jan.–Sept. 2009</i>	
	<i>Children and adolescents</i>	<i>%</i>	<i>Children and adolescents</i>	<i>%</i>	<i>Children and adolescents</i>	<i>%</i>
Illegal entry into the country	168	3.4	73	1.7	46	1.1
Begging and economic exploitation	60	1.2	66	1.6	44	1.0
Commercial sexual exploitation	79	1.6	59	1.4	41	1.0
Orphaned	13	0.3	30	0.7	12	0.3
Misconduct	29	0.6	29	0.7	22	0.5
Illegal smuggling and trafficking	9	0.2	26	0.6	8	0.2
Provisional protection on referral by legal entity	0	0.0	11	0.3	14	0.3
Comprehensive protection	2	0.0	10	0.2	2	0.0
Other	5	0.1	2	0.0	0	0.0
Formal education and apprenticeship	4	0.1	0	0.0	2	0.0
Child abduction	0	0.0	0	0.0	4	0.1
Total	4 903	100.0	4 215	100.0	2 882	68.4
Average	245	-	211	-	144	-
Average monthly variation (%)			-16.3		-46.0	

Source: Child Information System (SIPI), ISNA, El Salvador, October 2009.

- (b) *Number and percentage of reported cases which have resulted in a court decision or other types of follow-up*

122. According to information from the judiciary, complaints break down as follows:

Complaints by age group

(2007–Sept. 2009)

<i>Category</i>	<i>0 to < 3 years</i>	<i>3 to < 6 years</i>	<i>6 to < 10 years</i>	<i>10 to < 15 years</i>	<i>15 to < 18 years</i>	<i>Total</i>
Fundamental rights of children and adolescents	29	11	8	46	39	113
Protection of children and adolescents	192	145	163	282	137	919
Total	221	156	171	328	176	1 052

Complaints by gender

(2007–Sept. 2009)

<i>Category</i>	<i>2007</i>			<i>2008</i>			<i>2009 (up to Sept.)</i>		
	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
Fundamental rights of children and adolescents	16	11	27	58	36	94	7	5	12
Protection of children and adolescents	258	182	440	147	105	252	117	110	227
Total	274	193	467	205	141	346	124	115	239

Complaints by region

(2007–Sept. 2009)

Category	2007				2008				2009			
	Unrecorded	Rural	Urban	Total	Unrecorded	Rural	Urban	Total	Unrecorded	Rural	Urban	Total
Fundamental rights of children and adolescents	1	3	23	27	1	34	59	94	0	5	7	12
Protection of children and adolescents	46	153	241	414	46	80	126	251	8	73	146	227
Total	47	156	264	441	47	114	185	345	8	78	153	239

(c) *Number and proportion of child victims who have received counselling and recovery support services*

123. The judiciary has provided the following data on child victims who have received counselling and recovery support services:

Counselling and support, by gender

(2007–Sept. 2009)

Category	2007			2008			2009 (up to Sept.)		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
Fundamental rights of children and adolescents	12	10	22	2	5	7	3	1	4
Protection of children and adolescents	19	13	32	23	14	37	0	1	1
Domestic violence	33	39	72	39	46	85	50	58	108
Total	64	62	126	64	65	129	53	60	113

Counselling and support, by region

(2007–Sept. 2009)

Category	2007				2008				2009			
	Unrecorded	Rural	Urban	Total	Unrecorded	Rural	Urban	Total	Unrecorded	Rural	Urban	Total
Fundamental rights of children and adolescents	1	0	21	22	1	0	6	7	0	0	4	4
Protection of children and adolescents	5	6	21	32	3	3	31	37	0	0	1	1
Domestic violence	0	1	71	72	5	5	75	85	1	10	97	108
Total	6	7	113	126	9	8	112	129	1	10	102	113

4. With regard to education, please provide disaggregated data (by gender, age, minority and indigenous groups, and urban and rural areas) covering the years 2007, 2008 and 2009 on the following issues:

(a) The enrolment and completion rates, in percentages, of the student body in pre-primary, primary and secondary schools and in vocational training centres

124. Below are figures for 2007 and 2008 from the census on initial and final enrolment at the preschool, primary and secondary levels, disaggregated by gender.

125. El Salvador is not currently in a position to provide data disaggregated by minority and indigenous groups.

Indicators by educational level, by gender and in percentages

(2007 and 2008)

Year	Indicators	Gender	Preschool			Primary						Secondary					
			P4	P5	P6	1	2	3	4	5	6	7	8	9	1B	2B	3B
2007	Gross enrolment rate (%)	M	57.1			116.1						63.7					
		F	58.7			113.3						64.9					
	Net enrolment rate (%)	M	47.9			94.3						53.7					
		F	49.8			95.7						55.2					
	Dropouts (%)	M				8.6	5.4	5.2	5.2	5.0	5.2	8.2	6.9	5.3	16.6	8.3	9.1
		F				6.8	4.1	3.9	4.1	4.2	4.3	6.6	5.7	4.8	14.2	8.2	9.0
	Repeating students (%)	M				16.3	7.7	6.1	6.5	5.5	5.1	8.7	6.1	2.9	8.8	3.8	1.0
		F				12.9	5.7	4.3	4.2	3.5	3.1	5.1	3.5	1.6	5.5	2.1	0.5
	Student-teacher ratio	Both	23			29						23					
	2008	Gross enrolment rate (%)	M	58.2			117.0						63.2				
F			60.0			113.9						64.1					
Net enrolment rate (%)		M	49.3			94.6						54.3					
		F	51.4			96.0						55.9					
Dropouts (%)		M				8.5	5.2	5.1	4.9	5.2	4.8	8.2	6.5	4.9	12.7	4.3	0.0
		F				6.5	3.7	3.8	3.9	4.0	4.0	6.1	5.6	3.8	10.7	5.3	1.8
Repeating students (%)		M				14.5	7.0	5.4	5.4	4.8	4.5	7.7	5.6	2.6	8.8	3.7	1.0
		F				11.4	4.9	3.6	3.7	3.1	2.7	4.5	3.2	1.5	5.1	2.0	0.6
Student-teacher ratio		Both	22			29						25					

Source: Ministry of Education, census on initial and final enrolment for each year.

Enrolment by educational level, by gender and area

(2007 and 2008)

Educational level	2007					2008				
	Gender		Total	Area		Gender		Total	Area	
	Male	Female		Urban	Rural	Male	Female		Urban	Rural
Preschool	115 484	114 055	229 539	122 137	107 402	112 688	111 281	223 969	118 083	105 886

Educational level	2007						2008				
	Gender		Total	Area		Gender		Total	Area		
	Male	Female		Urban	Rural	Male	Female		Urban	Rural	
Primary	692 169	653 644	1 345 813	651 501	694 312	688 931	648 645	1 337 576	645 658	691 918	
Secondary	91 874	99 512	191 386	170 476	20 910	89 713	96 137	185 850	165 224	20 626	
Total	899 527	867 211	1 766 738	944 114	822 624	891 332	856 063	1 747 395	928 965	818 430	

Source: Ministry of Education.

(b) *Literacy rates for persons under 18 years of age*

126. According to the multi-purpose household survey, the literacy rate for persons under 18 years of age was 96.6 per cent in 2007 and 96.8 per cent in 2008. Ongoing training for the young and adult population is a strategic aim of the present Government of El Salvador, as reflected in its socio-educational plan to guarantee access by the population to basic and supplementary training fostering improvement in its quality of life and its active participation in the development of Salvadoran society.

(c) *Percentages of children who drop out and who repeat academic years*

127. The percentages of dropping out and repeating are given in the table under subparagraph (a) above.

128. As indicated, the highest drop-out rate in primary education was in the first grade (8.6 per cent of boys and 6.8 per cent of girls), while the lowest was among girls in the third grade. In secondary education, on the other hand, the highest rate was in the first upper secondary level – 16.6 per cent for boys and 14.2 per cent for girls.

129. In 2008, the highest drop-out rate in primary education was in the first grade for boys (8.2 per cent) and the lowest was 3.7 per cent in the second grade for girls. In secondary education, the highest rate was 12.7 per cent in the first upper secondary grade. For boys, the lowest rate was 0 per cent in the third upper secondary grade. For girls, the highest rate was 10.7 per cent in the first upper secondary grade and the lowest was 1.8 per cent in the third upper secondary grade.

130. As regards repeating, the highest rates in 2007 were in the first grade (16.3 per cent for boys and 12.9 per cent for girls). Although the repeat rate declined in 2008, it continued to be highest in the first grade and among boys.

(d) *Student-teacher ratio*

131. The student-teacher ratio in preschool education declined from 23 in 2007 to 22 in 2008. In primary education, the rate held steady at 29, while in secondary education it rose from 23 in 2007 to 25 in 2008.

5. With reference to special protection measures, please provide statistics (disaggregated by gender, age, minority and indigenous groups, and urban and rural areas) covering the years 2007, 2008 and 2009 on:

(a) *The number of child murder victims, the subsequent investigations and their results*

132. Below are statistical data disaggregated by gender and age, derived from the consolidated database of the Institute of Forensic Medicine, the National Civil Police and the Office of the Public Prosecutor of the Republic. El Salvador is not in a position to

provide statistics disaggregated by minority and indigenous groups, and urban and rural areas.

<i>Year</i>	<i>Age (years)</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
2007	0–10	4	3	7
	11–17	273	50	323
	Total	277	53	330
2008	0–10	6	3	9
	11–17	255	46	301
	Total	261	49	310
2009*	0–10	7	5	12
	11–17	301	66	367
	Total	308	71	379

Source: Department of Statistics, Consolidated database of Institute of Forensic Medicine, National Civil Police and Public Prosecutor's Office.

* Figures for murders in 2009 go up to September.

133. As to the results of investigations, El Salvador regrets that it is currently unable to provide information on the status of inquiries and their outcome. It will, however, endeavour to provide this information as soon as possible.

- (b) *The number of migrant children who return to El Salvador after being expelled from their intended host countries and the type of assistance given to them*

The General Directorate for Migration and Aliens has furnished the following data for the years 2007, 2008 and 2009:

<i>Repatriated Salvadoran children and adolescents</i>													
<i>Jan.–Dec. 2007</i>													
<i>Border post</i>	<i>Jan.</i>	<i>Feb.</i>	<i>Mar.</i>	<i>Apr.</i>	<i>May</i>	<i>June</i>	<i>July</i>	<i>Aug.</i>	<i>Sept.</i>	<i>Oct.</i>	<i>Nov.</i>	<i>Dec.</i>	<i>Total</i>
La Hachadura	59	39	140	92	83	93	62	79	53	63	74	28	865
El Salvador Airport	20	31	26	27	21	24	36	39	30	37	30	16	337
Total	79	70	166	119	104	117	98	118	83	100	104	44	1 202
<i>Jan.–Dec. 2008</i>													
<i>Border post</i>	<i>Jan.</i>	<i>Feb.</i>	<i>Mar.</i>	<i>Apr.</i>	<i>May</i>	<i>June</i>	<i>July</i>	<i>Aug.</i>	<i>Sept.</i>	<i>Oct.</i>	<i>Nov.</i>	<i>Dec.</i>	<i>Total</i>
La Hachadura	45	28	24	39	55	65	90	40	28	32	26	36	508
El Salvador Airport	15	17	13	14	15	12	12	19	15	25	18	31	206
Total	60	45	37	53	70	77	102	59	43	57	44	67	714
<i>Jan.–Dec. 2009</i>													
<i>Border post</i>	<i>Jan.</i>	<i>Feb.</i>	<i>Mar.</i>	<i>Apr.</i>	<i>May</i>	<i>June</i>	<i>July</i>	<i>Aug.</i>	<i>Sept.</i>	<i>Oct.</i>	<i>Nov.</i>	<i>Dec.</i>	<i>Total</i>
La Hachadura	14	31	30	36	35	40	41	27					254
El Salvador Airport	8	18	7	14	22	6	18	15					118
Total	22	49	37	50	57	46	59	42	0	0	0	0	454

134. El Salvador acknowledges that it is not yet possible to provide statistics disaggregated by gender, age, minority and indigenous group, and rural and urban areas.

135. The assistance currently provided to children and adolescents consists of temporary shelter, food, upkeep and health care during their stay in the shelter.

(c) *The number of children affected by the migration of their parents and the type of assistance given to them*

136. El Salvador does not possess, and is therefore unable to provide, the required information.

(d) *The number of children working and/or living in the streets*

137. According to information from ISNA, as presented in the following tables, some 836 street children and adolescents received care in 2007, 2008 and 2009.

<i>Street children and adolescents in ISNA care</i>									
<i>By gender and age</i>									
<i>Age (years)</i>	<i>2007</i>			<i>2008</i>			<i>2009*</i>		
	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>	<i>Total</i>
0–2	0	2	2	0	0	0	0	0	0
3–5	1	0	1	1	0	1	0	0	0
6–8	3	7	10	3	10	13	0	5	5
9–11	6	57	63	19	39	58	7	29	36
12–14	46	89	135	64	51	115	81	45	126
15–17	30	68	98	42	38	80	56	24	80
18 and above	30	9	9	1	1	2	1	1	2
Total	86	232	318	130	139	269	145	104	249

Source: Child Information System (SIPI), ISNA.

* Data for Jan.–Sept. 2009.

<i>Street children and adolescents in ISNA care</i>				
<i>By rural and urban area</i>				
<i>Population by area</i>	<i>2007</i>	<i>2008</i>	<i>2009*</i>	<i>Total</i>
Urban	259	175	176	610
Rural	59	94	73	226
Total	318	269	249	836

Source: Child Information System (SIPI), ISNA.

* Data for Jan.–Sept. 2009.

138. Unfortunately, El Salvador cannot provide a breakdown of the above information by minority and indigenous groups.

139. Regarding children working in the streets, the Ministry of Employment and Social Security provides the following data for 2007 and 2008, based on the multi-purpose household survey:

<i>Employed population by age group</i>		
<i>Year/age group</i>	<i>2008</i>	<i>Children and adolescents</i>
5 to 9	3.8%	7 240
10 to 14	46.3%	88 213
15 to 17	49.9%	95 072
Total	100%	190 525
<i>Year/age group</i>	<i>2007</i>	<i>Children and adolescents</i>
5 to 9	3.4%	5 868
10 to 14	43.7%	75 421
15 to 17	52.9%	91 299
Total	100%	172 588
<i>Employed population by gender</i>		
<i>Year/gender</i>	<i>2008</i>	
Male	136 803	
Female	53 722	
Total	190 525	
<i>Year/gender</i>	<i>2007</i>	
Male	124 080	
Female	48 508	
Total	172 588	
<i>Year/gender</i>	<i>2006</i>	
Male	143 076	
Female	61 933	
Total	205 009	

140. Again, El Salvador acknowledges that it is unable to provide a breakdown of the above statistics by minority and indigenous groups and by urban and rural areas.