



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/2006/SR.37
20 November 2006

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-seventh session

SUMMARY RECORD OF THE 37th MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 9 November, 2006, at 10 a.m.

Chairperson: Mr. RIEDEL (Vice-Chairperson)

CONTENTS

CONSIDERATION OF REPORTS:

- (a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE
WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Second period report of El Salvador (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Second periodic report of El Salvador (continued) (E/1990/6/Add.39; E/C.12/Q/SLV/2 and Add.1; HRI/CORE/1/Add.34/Rev.2)

1. Ms. RAMÍREZ (El Salvador) said that international cooperation for social investment was supervised by the coordinator for social affairs of the Presidential Technical Secretariat, which, in close cooperation with the Office for Social Affairs, defined social investment priorities on the basis of national requirements and budgetary gaps, so that cooperation resources complemented the funds already allocated in the general budget. The country's needs were discussed by the Committee of Cooperation Partners, which represented all partners: multilateral organizations, international NGOs and individual countries. The Committee appointed a coordinator to oversee proposed cooperation projects, which were examined in subcommittees. In recent years, international cooperation funds had been used solely to finance public investment projects, not to cover current Government expenditure.

2. The International Cooperation Directorate of the Ministry of Foreign Affairs was responsible for coordination with the Committee of Cooperation Partners, and developed the coordination, monitoring, follow-up and evaluation mechanisms for projects. To date, cooperation funding for 2006 had amounted to more than \$61 million, which was being spent in such areas as education, health, water, sanitation, rural roads, and gender issues.

3. Ms. CUBÍAS MEDINA (El Salvador) said that economic, social and cultural rights had not been provided for as such in the 1992 peace agreement, as, at the time, changing the political system, ending violence and creating a democracy had been more fundamental priorities. However, economic and social reforms had since been undertaken, with positive results, as reflected in improved economic and social indicators such as inflation, life expectancy and poverty.

4. The Office of the Procurator for the Protection of Human Rights had a broad mandate, and was responsible for monitoring and ensuring respect for all human rights, including economic, social and cultural rights. The Office followed up the implementation of all international human rights instruments.

5. For the first time since 1930, the census planned for 2007 would include questions on ethnic origin in order to evaluate the size of the indigenous population. The Government had adopted a cultural approach to recovering national identity and the Nahuat language. Through the Office for Social Affairs, the Government had been working to identify the policies and programmes being developed in communities estimated to have large indigenous populations. There were also projects geared to indigenous women, and consultations on indigenous children were ongoing with the United Nations Children's Fund (UNICEF).

6. With regard to measures taken to prevent rural exodus, \$462 million had been allocated from the Millennium Challenge Account to be spent in areas with the greatest migratory flows. The funding would go to building the Northern Transnational Highway, which would benefit approximately 1 million Salvadorans living in a historically marginalized area. The Ministry of Foreign Affairs had held consultations with Salvadorans living in the United States who had links to the communities through which the road would pass.
7. Mr. ALVARENGA (El Salvador) said that the Constitution provided for freedom of religion and, for historical reasons, recognized the legal status of the Roman Catholic Church, but stipulated that other religions would have to arrange their legal status in accordance with domestic legislation. However, that was the only difference in treatment between Catholicism and other religions.
8. Concerning fake lawyers and judges, in the course of the investigations into the matter, it had emerged that, in most cases, there had simply been irregularities with regard to the academic requirements of the accused persons, and only two people had been penalized. To avoid a recurrence of such situations, the Government, through the National Council of the Judiciary, had established a programme for the initial training of judges. During the application process for the training programme, the academic, personal and professional credentials of candidates were thoroughly checked, and they underwent theoretical and psychological tests and personal interviews. A maximum of 35 candidates were selected for the course of 18 to 24 months, after which they would be considered for appointment as judges in the lower ranks of the judiciary. The programme had been operational for five years, during which time 69 people had graduated; 35 more were still being trained.
9. Mr. SADI asked for some specific examples of the types of cases dealt with by the Office of the Procurator for the Protection of Human Rights. He wished to know whether the Catholic Church enjoyed preferential treatment under the tax system or received State subsidies.
10. Mr. MARCHAN ROMERO asked why the State party had not acceded to the ILO (International Labour Organization) Indigenous and Tribal Peoples Convention, 1989 (No. 169).
11. Mr. TEXIER requested information on threats received by the Procurator for the Protection of Human Rights. He also wished to know the consequences of dollarization and whether there had been any public consultation on the matter. He further asked whether the Forum for Economic and Social Consultation was currently operational and, if not, the reasons why. He drew attention to reports that the Central American Free Trade Agreement had been concluded without any public consultation, which was a matter for concern, as the Committee always recommended to States parties that they should hold consultations prior to signing any international agreement which might have an impact on economic, social and cultural rights, particularly those of the poorest sectors of society.
12. Ms. CUBÍAS MEDINA (El Salvador) said that the Office of the Procurator for the Protection of Human Rights dealt with individual cases concerning such matters as medical negligence and unfair dismissal.

13. The Government had studied ILO Convention No. 169 and found a number of incompatibilities with the Constitution. It was currently considering whether to undertake a constitutional reform, which was a lengthy procedure.

14. Regarding social participation in economic decisions, prior to signing the free trade agreement with the United States, the Ministry of Foreign Affairs had organized consultations with the Salvadoran communities in the United States, who it was hoped would benefit from the agreement and become investors in El Salvador.

15. Mr. ALVARENGA (El Salvador) said that churches did not receive any State subsidies, and were all funded entirely by their congregation. All churches were exempt from tax, and there could therefore be no preferential treatment for the Catholic Church.

16. Regarding threats against the Procurator for the Protection of Human Rights, during a visit to the Mariana prison during a prisoners' riot in December 2002, shots had been fired in her vicinity. However, there had also been many police officers, conflict mediators and prison officers at the scene, and it had been established that she had not been the direct target. Another case involved the arrest of two members of the Office of the Procurator at El Salvador international airport, where they had been monitoring an individual's extradition. They had been arrested because they had driven on to the runway, a restricted area, and not because of their status as observers. Their offence had been considered a minor one and they had been released shortly afterwards.

17. Ms. BARAHONA RIERA enquired about the situation regarding the proposed equal opportunities legislation. She would welcome information on domestic work by men and women. As she recalled, chapter V of the 1992 peace agreement had concerned economic and social questions, and she wished to know how that chapter had been followed up.

18. While noting the economic improvements achieved, she expressed concern that productivity was overly reliant on the in-bond assembly sector (maquila), which entailed very low wages, as there was strong international competition in that area. She would be interested to hear the delegation's comments on that situation.

19. Ms. de INNOCENTI (El Salvador) said that the Equal Opportunities Bill had been referred by the Legislative Assembly to the Salvadoran Institute for the Advancement of Women for possible amendment before it was reconsidered by the Assembly. A high-level legal commission was currently reviewing all legislation on the legal situation of women, and 37 reforms had recently been introduced to the law on domestic violence. The Criminal Code condemned sexual harassment as a form of violence against women.

20. Ms. AVILA DE PEÑA (El Salvador) said that 13 ILO Conventions had been ratified following tripartite discussions at the Forum for Economic and Social Consultation. Pursuant to those discussions, the National Higher Labour Council had been established, which was a consultative body of the Ministry of Labour and Social Security, in which representatives of workers' organizations, employers' organizations and the Government all had an equal right of participation. The Council studied all proposed reforms, legislation and policies, and as a result of its work, article 30 of the Civil Code, on non-discrimination, had been amended, measures to prevent workplace accidents had been introduced, and a Gender Office had been established.

21. The economy did not rely solely on maquilas, as other major sources of productivity included the export of coffee, cotton, and sugar cane. Contrary to popular belief, the maquila industry paid more than the minimum wage and did not employ minors.
22. In 2002 El Salvador had created the National Network of Employment Opportunities, comprising 28 local employment-service offices throughout the country. The project, which incorporated several public and private partners such as the Salvadoran Vocational Training Institute, offered free, personalized guidance and vocational training to job-seekers. To date it had serviced about 36,000 workers and 2,000 entrepreneurs, and was expected to be renewed.
23. A programme to promote employment and vocational training was also being implemented in the Fonseca Gulf region, with technical and financial assistance from the Spanish Agency for International Cooperation.
24. The Government had also organized a series of 71 employment fairs in the country's 14 departments, which had led to the employment of some 22,000 workers.
25. On 1 June 2006, in conjunction with the National Minimum Wages Council and with the agreement of the different actors of Salvadoran society, minimum wages had been reviewed. As of 1 September 2006, minimum wages in the agriculture, fishing, commercial and service sectors had been increased by 10 per cent, and in the textile and clothing industry, by 4 per cent.
26. The Ministry of Labour and Social Security had approved the creation of a special unit on gender and prevention of discriminatory acts in the workplace to raise awareness on the subject and ensure that workers were not discriminated against on the basis of gender, for exercising their trade union rights, for being infected with HIV/AIDS, etc. A guidebook on the rights of workers was also being distributed to that end.
27. The Ministry of Labour and Social Security, in coordination with the Salvadoran Institute for the Advancement of Women, was developing a programme specifically designed to promote the rights of women in the workplace and improve their quality of life. It also raised awareness about the gender perspective, equal opportunities and equal treatment between men and women. Moreover, the Ministry of Labour and Social Security had five centres in different parts of the country offering free services to promote healthy lifestyles and mental health, and improve health and hygiene conditions in the workplace.
28. Between 1 June 2001 and 31 May 2002, 35,342 women had been covered by inspections conducted by the Occupational Safety and Health Department, and not 5,342, as incorrectly stated in paragraph 198 of the report.
29. Among the measures taken for disabled people, she cited an online employment facility, which had enabled 1,038 of its 2,000 registered users to find secretarial and service-related jobs. Another programme in San Miguel had allowed 2,556 disabled people to find employment in different sectors. A project to promote self-employment, with the assistance of the Trust for the Americas, had led to the creation of seven micro-enterprises, benefiting 700 people.
30. Mr. TEXIER, expressing his concern about the high level of under-employment among Salvadorans, asked what measures the Government had taken to ensure the social protection of

the informal sector of the economy. He would also like to know whether unemployment affected women more than men, and whether it was equally distributed across rural and urban areas.

31. He wondered if the minimum wage actually allowed Salvadoran workers to pay for education, health or housing costs when it was only \$20 above the basic food basket in urban areas, and in fact \$55 below it, in rural areas.

32. He expressed concern about the country's cumbersome administrative and legal procedures which prevented Salvadorans from joining trade unions and going on strike, as was evidenced by the low proportion of union membership in the labour force - 6 per cent - and the fact that over the last 10 years, according to information received by the Committee from NGOs, there had not been a single legal strike in El Salvador. He suggested that, now that it had ratified ILO Conventions No. 87 on freedom of association and protection of the right to organize, No. 98, on the right to organize and collective bargaining, and No. 151, on labour relations (public service), El Salvador could reform its legislation to allow the exercise of those rights.

33. He said that the information available to the Committee contradicted what had been said in one of the delegation's answers on the subject of minimum wages in the in-bond assembly sector. Although maquilas were not specific to El Salvador, sexual harassment against women was stronger there than elsewhere, anti-union policies were systematic, and wages were lower than in other enterprises. In support of his statement, he cited a 2001 report by the International Confederation of Free Trade Unions, which followed up on an investigation made by the Ministry of Labour and Social Security itself, indicating that union representatives were repressed in the duty-free zones of San Marco, San Bartolo, American Park and El Pedregal. He also mentioned cases of women who had to prove that they were not pregnant to apply for a job in a maquila. He therefore asked whether such practices, which were contrary to the International Covenant on Economic, Social and Cultural Rights and to ILO Conventions, still occurred and whether those who were responsible for them were prosecuted.

34. Ms. BRAS GOMES, citing paragraph 317 of the report, asked whether the State party's social security system, which had been changed in 1998 to one "based on the personal account", had improved social justice among Salvadorans and whether it provided better individual protection, in particular to vulnerable groups, given the fact that the minimum pensions under the new system were not sufficient to acquire even the basic food basket and did not cover the entire economically active population, according to a report by the NGO Salvadoran Chapter of the Inter-American Platform for Human Rights, Democracy and Development (CSPIDHDD). She also enquired what had happened to the former pension scheme, which no longer received contributions as people had moved to that individual account system.

35. Pointing out the State party did not cover all the risks referred to by the ILO Social Security (Minimum standards) Convention, 1952 (No. 102), she further asked what support was offered to people who had lost their jobs. She also enquired about the social protection El Salvador provided for rural workers, domestic employees - most of whom were women - and the self-employed.

36. Finally, she asked what measures the State party had taken to combat non-payment of social contributions for their employees by fraudulent employers and to prevent employers from hiring women for only short periods so as to avoid paying maternity benefits.

37. Mr. MARCHAN ROMERO invited the delegation to provide information on social protection arrangements for indigenous people, who made up a large and vulnerable part of El Salvador's population.

38. Ms. GHOSE stressed that, notwithstanding the State party's measures to combat discrimination, sexual harassment and non-discrimination were two completely separate issues. Moreover, she reiterated the Committee's request for updated information on the extent of and measures to address the problem of child labour, especially in agriculture and the informal sector (document E/C.12/Q/SLV/2, question 17).

39. Ms. AVILA DE PEÑA (El Salvador) said that the Ministry of Labour and Social Security did not limit workers' participation in the 362 trade unions, 348 sectoral trade unions, 20 trade union federations and 4 trade union confederations of the country - all those who wished to join could do so. As a matter of fact, it had a department to advise those who wished to join a trade union organization.

40. Strikes were considered illegal only when they did not fulfil the requirements established by the law: when they affected essential services for citizens or when they put national security at risk.

41. Since it had ratified ILO Conventions Nos. 87 and 98 only on 6 September 2006, El Salvador had 12 months to ensure that its legislation conformed to those instruments.

42. El Salvador's Labour Code prohibited employers from asking for evidence of non-pregnancy prior to employment. Seventeen posts of labour inspector had been created precisely to supervise the Labour Code's implementation and root out any such acts of discrimination.

43. Her delegation recognized that discrimination and sexual harassment were two separate issues, although the Gender Office of El Salvador dealt with both. The ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) had been ratified by El Salvador. To prevent sexual harassment, the Government had been active in seeking to implement the provisions of the Convention with the help of employers.

44. The Ministry of Labour and Social Security had received complaints about cases of sexual harassment and had duly penalized companies within which such problems had occurred. If sexual harassment was to be tackled successfully, it was vital for individuals to make official complaints to the Ministry of Labour. The Ministry itself was endeavouring to raise awareness of the problem. All workers in El Salvador had recourse to the Ministry of Labour when they felt that their rights were not being respected.

45. El Salvador had ratified 26 ILO Conventions regarding the situation of indigenous peoples, including the Indigenous and Tribal Populations Convention, 1957 (No. 107).

The Ministries of Foreign Affairs and Labour and the National Council on Culture and the Arts had all worked on the issue. Maximum efforts were being made to promote the heritage and ancestry of the indigenous peoples of El Salvador.

46. El Salvador had not ratified the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) as there were differences between national law and the Convention which needed to be referred to the tripartite Higher Labour Council for resolution. The Government could not simply ratify and implement a Convention without prior study of the practicalities of implementation. Nevertheless, it was hoped to supply further information on the ratification of the Convention in subsequent reports to the Committee.

47. While it was true that the minimum wage in rural areas was lower than in urban areas, employers in rural areas gave workers a food allowance in addition to paying them wages. A comprehensive additional study on an increase in that food allowance in rural areas had been proposed. Her delegation appreciated that the Committee shared its concerns about the minimum wage issue and it was endeavouring to help the sections of society most in need of help.

48. El Salvador was one of the countries that had pressed for the eradication of child labour, and it was working with the ILO to expand programmes aimed at achieving that goal. Some 25,000 children had been removed from the workforce in the sugar cane industry and a further 4,000 from the fishing industry. Projects developed by the Government had also had an effect in reducing the number of children working in the coffee, domestic labour, urban and market sectors. In all, 48,800 children had been covered by the measures to reduce child labour.

49. The National Committee for the Eradication of Child Labour had been set up, and a number of experts on child labour had been employed by the Ministry of Labour. A plan to eliminate the worst kinds of child labour had been devised. Studies of child labour had been carried out by the Directorate-General for Labour Inspection, with the cooperation of labour inspectors in the field. An awareness-building project had also been launched to further reduce child labour in markets in El Salvador, as that sector still had a poor record in that respect. Officials from the Ministry of Labour attended regular meetings to discuss child labour and the benefits its eradication would provide. An inter-ministerial working group had also been established to liaise with companies operating sugar cane plantations, to ensure that they did not use child labour and therefore enable the children to attend school. The Ministry of Labour also worked in conjunction with schools to provide education on child labour issues from an early age, as well as undertaking work with the Salvadoran Institute for the Integrated Development of the Child (ISNA), the Agape Foundation and the Ministry of Public Health and Social Welfare.

50. The aim of those efforts was to ensure that vulnerable children were protected and to identify the scale of the child labour problem. NGOs were anxious to participate in the projects being implemented and were indeed expected to give input.

51. Mr. LARIOS LOPEZ (El Salvador) said, in response to questions on the right to social security, that the Pensions Savings Scheme (SAP) was a fundamental component of the social security system. Aimed at facilitating savings by workers and their beneficiaries, the scheme was a public service managed by pension fund administrators and supervised by the State Pension Board.

52. All employees were obliged to subscribe to the SAP and to choose a pension scheme when they accepted any type of job. Employers were required to respect the choice of administration institution, failing which they incurred civil responsibility. Self-employed persons and citizens of El Salvador living abroad could also contribute to a pension scheme. As a result of those measures, social pension coverage had risen to include 48 per cent of the population and the average pension was approximately \$190 a month.
53. Ms. BRAS GOMES said that she would appreciate further clarification in response to her earlier questions.
54. Mr. SADI enquired whether the lower-than-average increase in textile workers' wages was caused by cheap textile exports. On the subject of child labour, he felt that the problem would always exist until poverty had been eradicated, as poorer families were obliged to send their children out to work.
55. Mr. MALINVERNI said he would appreciate verification of the figures published in the recent NGO report according to which there were currently 300,000 children at work in El Salvador and that a third of all workers on sugar cane plantations were children. Further information on the situation of children working as domestics for well-to-do families would also be welcomed.
56. Mr. TEXIER, referring to the special report of the Procurator for the Protection of Human Rights on the implementation of the International Covenant on Economic, Social and Cultural Rights in El Salvador (1995-2005), said he would appreciate more information on the following issues: the poor conditions for women in the maquila sector; the lack of legal mechanisms to deal with sudden factory closures; high unemployment figures for women in comparison with men; the level of underemployment and the predominance of the informal work sector; the decline in trade union participation; and the fact that almost 80 per cent of the population earned less than the minimum wage.
57. Ms. GHOSE said she would welcome more information on any provisions in El Salvador's Criminal Code that tackled sexual harassment and asked whether the Government was considering introducing a specific law on sexual harassment. She was concerned about sexual harassment of schoolgirls, which caused many girls to drop out of school from the age of 14 onwards. She also asked for clarification on whether companies or individuals were punished in cases of sexual harassment.
58. She further enquired how the problem of loss of income was tackled among families whose children had been removed from the child labour force and how children no longer employed on the sugar cane plantations were protected.
59. Mr. RZEPLINSKI requested information on any measures taken by the Government to help street children. He would also appreciate any examples of action taken by the Government to prevent the use of children in drugs and arms smuggling, and what help it offered to those children's families to compensate for the loss of income.
60. Mr. LARIOS LOPEZ (El Salvador) requested more time to consider certain questions put forward by members of the Committee.

61. Ms. AVILA DE PEÑA (El Salvador) explained that the Government did not penalize the company in which sexual harassment had taken place, but, rather, the individual perpetrator.

62. El Salvador, far from shying away from the problem of child labour, was resolutely addressing it, as shown by the great efforts made to improve the situation in the sugar cane industry. The Ministry of Labour had worked with the parents of children formerly employed in the sugar cane plantations to provide them with other means of earning a living. More generally, El Salvador was coordinating with all other Ministries of Labour in the region in an effort to find solutions.

63. The problem of below-minimum wages applied to only a small part of the maquila sector: in certain maquiladoras wages were in fact above the minimum. The Ministry of Labour had set up offices in the free zones to monitor compliance in that regard.

64. Whenever the competent authorities received complaints of sexual harassment, an investigation was launched and the law was duly applied in all cases. The Ministry of Labour would not tolerate any lack of follow-up. Six specialists had been trained in prevention of sexual harassment in the workplace.

65. The question of street children presented something of a vicious circle. The Salvadoran Institute for the Integrated Development of the Child (ISNA) had programmes to locate street children and ascertain what family ties they had and why they had taken to the streets. Where no family could be found, the children were boarded out in ISNA centres. They were then placed in schools, but in many cases simply absconded and took to the streets again. The situation was being monitored by the competent authorities.

66. Ms. RAMIREZ (El Salvador) said that child labour was an inter-institutional issue. The Ministry of Education coordinated with the Ministry of Labour and other government departments to identify children at risk as a result of child labour. Children taken out of work were supported in a variety of ways, including through remedial teaching methods involving schools, families and the community and designed to meet their special needs with regard to socialization and integration into the education system.

67. In parallel, to compensate in some measure for the lost revenue from children's labour, the Red Solidaria ("Solidarity Network") offered financial support to families who could demonstrate - by obtaining an attestation from the teacher - that they were in fact sending their children to school.

68. In urban areas there were special programmes targeting those schools where children were at greatest risk of recruitment into gangs or drug-dealing rings. The aim was to improve children's physical conditions in school and provide psychological support and leisure and sports activities, as well as vocational guidance, in order to encourage them to use their time better and prevent them from being tempted to join gangs. The Ministry of Education coordinated with the Ministry of the Interior, the police and ISNA in order to avoid duplication of efforts.

69. Mr. ALVARENGA (El Salvador) said that there were a number of other projects in place to prevent children from joining gangs. ISNA and the police had a joint project whereby children found to be frequenting places where they were at risk or premises unsuitable for

children would be taken to ISNA centres and, while their parents were being located, would be given a talk on mental, physical and sexual health risks. Appropriate administrative procedures would be set in motion if it was established that the children had been abandoned or were suffering from neglect. If children were discovered in premises where offences were being committed, criminal proceedings would be taken against the adults responsible for admitting them.

70. In addition, the National Board of Public Safety provided sports and leisure activities similarly designed to prevent children from being attracted to gangs.

71. The CHAIRPERSON drew attention to items 21 to 33 on the list of issues and invited the delegation to make an introductory statement on articles 10 to 12 of the Covenant.

72. Ms. de INNOCENTI (El Salvador), referring to the Government's written reply to item 21, highlighted the panoply of legislation on the protection of children and the family and the policies the Government had put in place for women, children and the care of the elderly. Certain items of legislation had been revised and others were being amended to take better account of the changing situation of families and children.

73. On domestic violence, she said the law had been thoroughly revised in 2002 and the provisions of the Criminal Code relating to sexual harassment also applied to domestic violence. In addition, a National Plan on Domestic Violence had been approved by all sectors of society, including the churches.

74. Preventive measures were of the utmost importance and to that end a special Family Relations Unit had been created within the Institute for the Advancement of Women and preventive training programmes were in place in every relevant sector. In addition, a shelter for women victims of domestic violence had been established, along with another for children victims of commercial sexual exploitation.

75. She said a new plan had been put in place to improve opportunities for women heads of household and affirmative action projects had been launched in agriculture and fisheries, a sector that was particularly well suited to such action. Support was also provided to local authorities, which, being closest to women in their communities, were best placed to understand their needs.

76. Mr. ATANGANA said he would appreciate more detail on the objectives of the National Plan on Domestic Violence. Noting that the Criminal Code punished sexual harassment, he asked whether other forms of domestic violence carried penalties. Turning to matters relating to civil status, he said that the Family Code gave the age of majority as 18. Yet, according to information received, marriage was permitted at the age of 14. Were there any plans to raise the age of marriage? He also wondered what the State party was doing to address the widespread problem of unregistered births.

77. Lastly, he asked whether there was any legislation prohibiting the use of corporal punishment in schools.

78. Ms. BARAHONA RIERA said that, as a native of Central America herself, she understood only too well the difficulties faced by States in the region in terms of wages policy.

However, many of El Salvador's problems in that regard in fact had to do with the distribution of wealth. The current economic model, which demanded global competitiveness in exports, was instrumental in keeping wages low in sectors such as agriculture. If no changes were made to that model, rural wages would remain low and would continue to impact on other issues such as child labour. Wage levels were thus a fundamental problem that needed addressing, notwithstanding the difficulties that presented. Other related issues were trade union rights and social security coverage for domestic workers, the majority of whom were women.

79. She paid tribute to the progress El Salvador had made in protection of the family, mothers and children. The range of legislation was more comprehensive and advanced than in many other countries. It would now be important to monitor the results of the measures taken and in particular to establish whether the increased budget allocated to the competent authorities would prove adequate. On domestic violence, she wondered whether three years' imprisonment was a sufficiently severe penalty. In general, she believed the term "gender violence" was preferable, since the vast majority of victims were in fact women.

80. Lastly, on the issue of reproductive health, she noted that abortion was prohibited in El Salvador, as it was in many countries where the Catholic Church was influential. She would like to hear the delegation's views on that matter.

81. Ms. GHOSE enquired what the State party was doing to promote reconciliation of family life with professional life in order to encourage women to enter the workforce. Given its very young population, with nearly 50 per cent aged under 20, El Salvador was ideally placed to change attitudes and stereotypes in that connection and to give an opportunity to both sexes to be active both inside and outside the home.

82. She was puzzled by the fact that the basic food basket in rural areas was 1,575 grams less than in urban areas (E/1990/6/Add.39, para. 463), and would appreciate an explanation.

83. The latest available data on poverty were from 2000. She wondered whether recent programmes had had any impact on those figures. Did the delegation have more up-to-date information?

84. Lastly, on the question of illegal settlements (ibid., paras. 547-550), she would like to know what measures the Government was taking to improve conditions for those who emigrated to cities. She noted from paragraph 550 that government agencies tended not to concern themselves with the reasons for eviction and, in the light of the Committee's general comment No. 7, on forced evictions, wondered just who was concerned.

The meeting rose at 1 p.m.