

# EL SALVADOR 2020 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

El Salvador is a constitutional multiparty republic with a democratically elected government. In February 2019 voters elected Nayib Bukele as president for a five-year term. The election was generally free and fair, according to international observers. Free and fair municipal and legislative elections took place in 2018.

The National Civilian Police, overseen by the Ministry of Justice and Public Security, is responsible for maintaining public security. The Ministry of Defense is responsible for maintaining national security. Although the constitution separates public security and military functions, it allows the president to use the armed forces “in exceptional circumstances” to maintain internal peace and public security “when all other measures have been exhausted.” The military is responsible for securing international borders and conducting joint patrols with the civilian police. In November 2019 President Bukele signed a decree authorizing military involvement in police duties. The decree, in effect until December 31, authorizes the military under National Civilian Police control to identify areas with the highest incidence of crime to target peacekeeping operations; conduct joint patrols with police to prevent, deter, and apprehend members of organized crime and common crime networks; carry out searches of individuals, vehicles, and property; help persons in cases of accidents or emergencies; make arrests and hand over detainees to police; prevent illegal trafficking of goods and persons at unauthorized national borders; strengthen perimeter security at prisons and other detention centers and schools; and provide land, sea, and air support to police. Civilian authorities at times did not maintain effective control over security forces. Members of the security forces committed some abuses. On February 9, the executive branch used security forces to attempt to interfere with the independence of the legislature.

Significant human rights issues included: allegations of unlawful killings of suspected gang members and others by security forces; forced disappearances by military personnel; torture and cases of cruel, inhuman, or degrading treatment or



































































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companies violated women's rights through occupational health violations and unpaid overtime. There were reports of OSH violations in other sectors, including reports that a very large percentage of buildings did not meet safety standards set by law. The government proved ineffective in pursuing such violations.

In some cases the country's high crime rate undermined acceptable conditions of work as well as workers' psychological and physical health. Some workers, such as bus drivers, bill collectors, messengers, and teachers in high-risk areas, reported being subject to extortion and death threats by gang members. On May 25, the newspaper *La Prensa Grafica* reported extortion by gang members continued during the nationwide stay-at-home order. The FGR received 661 complaints of extortion from January 1 to May 14, compared with 899 complaints during the same period in 2019, and explained the decrease in complaints occurred because some victims chose to pay the extortion rather than file a complaint. On October 21, the newspaper *Diario El Mundo* reported gang members killed public transport employees to pressure transportation companies into paying extortion.

Through May 31, the Ministry of Labor reported 2,866 workplace accidents. These included 1,352 accidents in the services sector, 864 in the industrial sector, 310 in the commercial sector, 266 in the public sector, and 74 in the agricultural sector. The ministry did not report any deaths from workplace accidents.

Workers may legally remove themselves from situations that endanger health or safety without jeopardy to their employment, but authorities did not effectively enforce this law. On March 14, the Legislative Assembly unanimously approved Legislative Decree 593, which stated that workers could not be fired for being quarantined for COVID-19 or because they could not report to work due to immigration or health restrictions. President Bukele also mandated persons older than 60 and pregnant women to work from home.