

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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punishment by security forces; harsh and life-threatening prison conditions; arbitrary arrest and detention; serious problems with the independence of the judiciary; serious restrictions on free expression and the press; serious acts of government corruption; lack of consistent investigation and accountability for violence against women; and crimes involving violence by security forces against lesbian, gay, bisexual, transgender, and intersex individuals.

Impunity persisted despite government steps to dismiss and prosecute abusers in the security forces, executive branch, and justice system. In some cases authorities investigated and prosecuted persons accused of committing crimes and human rights abuses.

Organized criminal elements, including local and transnational gangs and narcotics traffickers, were significant perpetrators of violent crimes. They committed killings and acts of extortion, kidnapping, human trafficking, intimidation, and other threats and violence. They directed these acts against police, judicial authorities, the business community, journalists, women, and members of vulnerable populations.

Section 1. Respect for the Integrity of the Person, Including Freedom from

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed politically motivated killings. There were reports, however, of security force involvement in extrajudicial killings of suspected gang members. The Attorney General's Office (FGR) investigates whether security force killings were justifiable and pursues prosecutions. According to the FGR, as of August 24, there were seven extrajudicial killings under investigation in which nine National Civilian Police (PNC) officers were implicated, including cases that originated in past years. As of August 27, the Office of the Human Rights Ombudsman (PDDH) announced it was investigating six complaints of such killings, some by law enforcement, including those in which PNC officers were alleged to have directly participated and one attributed to prison guards.

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On April 26, President Bukele responded, via Twitter, to an increase in gang-related homicides, stating, “the use of lethal force is authorized for self-defense or for the defense of the lives of Salvadorans.” This tweet did not grant police any additional powers, although international civil society and multilateral organizations criticized the president for heightening the risk that police would commit extrajudicial killings of gang members. On July 9, the news agency EFE reported that the official figures from Minister of Security Rogelio Rivas indicated that from January to late May, there were 90 confrontations between security forces and alleged gang members, leaving 44 persons dead, 29 injured, and 70 detained.

On May 13, media outlets reported the case of a woman killed by PNC officers while she was shopping in San Julian Municipality, Sonsonate Department. According to police reports, the woman was a gang member who attacked three police officers with a firearm, and in response, the officers returned fire and killed the woman. The newspaper *El Diario de Hoy* reported police sources did not find it credible that the woman attacked police, and the woman’s family denied she was involved with gangs. The police officers faced an initial hearing before the justice of the peace of San Julian. Per the request of the FGR, the judge decided the officers would continue to face the judicial process but without being detained in prison.

On August 13, the FGR arrested three PNC officers who were allegedly linked to an extermination group accused of murdering three persons in July 2019.

On August 16, the Specialized Court of Instruction C of San Salvador, at the request of the FGR, announced a sentencing hearing for four PNC officers accused of forced disappearances and aggravated homicide. Three of the officers worked in rural Usulután and the fourth in Zacatecoluca, La Paz Department. According to media reports, the officers were charged with a triple homicide that occurred on July 7, as well as prior homicides from 2017 and 2019.

On June 20, media reported that Víctor David Castillo Campos, an officer of the elite Police Reaction Group (GRP) and alleged accomplice in the killing of fellow GRP member Carla Ayala after a GRP gathering in 2017, received house arrest after serving two years in prison without a final verdict. Castillo Campos was

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arrested in 2018 and was one of 13 defendants (eight police officers and five civilians) implicated as accomplices in Ayala's killing. Juan Jose Castillo Arevalo was also accused of killing Ayala and since 2017 remained a fugitive. The PNC disbanded the GRP in 2018.

In July the Institute for Human Rights at the University of Central America (IDHUCA), Servicio Social Pasionista, Cristosal, Due Process of Law Foundation, and other organizations presented a report on extrajudicial killings that was a follow-up to the UN special rapporteur's 2018 recommendations. On July 9, EFE stated the report concluded extrajudicial killings persisted in the country despite a change of the presidency in June 2019. According to the report, from June to December 2019, there were 156 clashes between the security forces and alleged gang members that left 107 civilians dead and 43 injured.

b. Disappearance

Reports alleged that security and law enforcement officials were involved in unlawful disappearances. Law enforcement agencies had not released data on disappearances since 2017, citing a discrepancy between data collected by the PNC and the FGR. Media reported in March that the discrepancy continued.

According to media reports, the FGR recorded 542 disappearances between January and March, with an average of six missing persons cases per day. This marked a decrease from the same period in 2019 when the FGR tracked 829 cases, equivalent to nine disappearances daily. The PNC reported that 65 percent of those reported missing were later found alive and that there was a likelihood that many of the remaining 35 percent had emigrated. The FGR reported 724 cases of "deprivation of liberty" through July 13, compared with 2,234 cases from January through October 2019; however, this offense included both disappearances and missing persons.

On August 10, media reported that the PNC registered 728 missing persons cases in the first half of the year, compared with 1,295 reported during the same time period in 2019. Of the cases reported in the first six months, 56 percent were still missing as of September, 40 percent were found alive, and 4 percent were found deceased. The local nongovernmental organization (NGO) Servicio Social

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Pasionista reported that as of June there were 434 disappearances, compared with 652 in 2019.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, but there were reports of violations. As of August 27, the PDDH had received 15 complaints of torture or cruel or inhuman treatment by the PNC and two by the armed forces, compared with 33 and nine complaints, respectively, as of August 2019. The PDDH also received 55 complaints of mistreatment and disproportionate use of force by the PNC, four by the armed forces and one by the PNC and armed forces together.

Reports of abuse and police misconduct came mostly from residents of metropolitan San Salvador and mainly from men and young persons. As of June, according to the PNC, 104 officers had been involved in crimes and offenses, resulting in 92 charges. Furthermore, as of September 14, the PNC received 90 complaints of general misconduct by police, including but not limited to torture or cruel or inhuman treatment; five of the 90 complaints were officially submitted to the FGR.

On May 6, in Zacatecoluca, La Paz Department, media reported on the case of a man who died while in provisional detention under police custody. Allegedly, the PNC told the family of the man, arrested on homicide and gang membership charges connected to the 2019 killing of a soldier, that he had died of COVID-19 and that he should be buried immediately and without opening the casket. Media reported that the family did not believe the cause of death and inspected the body at the grave, finding the man still handcuffed, with a bloodied face and broken teeth. The family believed he died after being tortured and took photographs of the body. The PNC maintained the man died of massive bleeding. The PDDH called for an investigation into the case. On May 12, the FGR exhumed the body for an autopsy but, as of September 16, had not made any arrests.

According to the *Conduct in UN Field Missions* online portal, there was one allegation submitted in March of sexual exploitation and abuse by Salvadoran peacekeepers deployed to the UN Mission in South Sudan, allegedly involving an

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exploitative relationship with an adult. As of September the United Nations was investigating the allegation.

Impunity was a problem in the PNC and armed forces. Media reported cases of the PNC abusing their authority during the nationwide stay-at-home order. The government repeatedly defied judicial order to allow expert witnesses access to inspect military archives to determine criminal responsibility for the 1981 El Mozote massacre. Factors contributing to impunity included politicization and general corruption. The FGR is responsible for investigating abuses. The government provided annual training to military units to dissuade any potential for gross abuses of human rights, such as the training provided to the Marine Infantry Battalion by the navy's Legal Unit on the need to respect human rights.

Prison and Detention Center Conditions

Prison and detention center conditions remained harsh and life threatening due to gross overcrowding, unhygienic conditions, and gang activities.

Physical Conditions: Overcrowding, at one-third above capacity as of August, was a serious threat to prisoners' health and welfare. The prisons system had a capacity for 27,037 inmates, but, as of August 17, there were more than 36,000 inmates. For example, the PDDH reported that in one prison, 1,486 inmates were held in facilities designed for 280.

Convicted inmates and pretrial detainees were sometimes held in the same prison cells.

Gangs remained prevalent in prisons. After a sudden increase in gang violence in late April, President Bukele ordered a lockdown and imposed strict measures in the seven prisons where most imprisoned gang leaders and members were held. Prison authorities implemented the order, placing gang leaders in solitary confinement, mixing rival gang members together, conducting cell searches for contraband, and boarding up cells to prevent prisoners communicating among cells using visual signals. As of September approximately 55 percent (18,746 prisoners) of the prison population were active or former gang members.

According to the PDDH, many prisons had inadequate sanitation, potable water,

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ventilation, temperature control, medical care, and lighting. Inmates experienced gastrointestinal illnesses and skin problems due to poor water quality.

In August the PNC reported 51 percent overcrowding in police holding cells, with more than 4,000 detainees in cells designed for 1,500-1,800 individuals. This was up from 2,300-2,400 detainees held in similar facilities in 2019.

On March 11, President Bukele announced a quarantine plan that required anyone entering the country be placed in a government-run quarantine center for 30 days. Government officials began implementation immediately after President Bukele's announcement and forced many who were already in transit to enter the quarantine centers. According to media reports, the government was not sufficiently prepared and faced high levels of overcrowding; one facility in particular held 700 persons in an area meant to house 400. Quarantined individuals posted photographs and videos on social media denouncing poor sanitary conditions, including dirty restrooms and a lack of personal hygiene supplies, as well as a lack of food, water, and medical attention.

Administration: The PDDH has authority to investigate credible allegations of inhuman conditions. During the state of emergency, authorities did not allow prisoners and detainees to receive any visitors or to gather for religious observances.

Independent Monitoring: As of August, according to the PDDH, COVID-19 made it temporarily impossible to inspect detention centers or interview inmates due to the serious health risk. At times the prison system was entirely closed to visits, allowing only employees to enter. Professional and family visits, inspections of institutions, and visits by international organizations, NGOs, churches, and others were completely suspended.

Improvements: New construction and a redistribution of prisoners reduced overcrowding from 141 percent in September 2019 to 139 percent as of August.

d. Arbitrary Arrest or Detention

Although the constitution prohibits arbitrary arrest and detention, there were numerous complaints that the PNC and military forces carried out arbitrary arrests.

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NGOs reported that the PNC arbitrarily arrested and detained individuals on suspicion of gang affiliation.

The law provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed this provision.

On March 21, President Bukele issued a mandatory nationwide stay-at-home order for 30 days. Following this announcement, the PNC and armed forces began enforcement and placed those violating the order in containment centers for 30 days of quarantine. Some of those detained for violating the stay-at-home order were taken to police stations and held for more than 24 hours.

Apolonio Tobar, the ombudsman for human rights, reported that individuals in detention were not receiving their COVID-19 test results until weeks after being tested. According to media, this delay contributed to extended time in detention as individuals were forced to stay in the quarantine facilities longer than the mandated 30 days without a specific explanation from health officials regarding the reason for their continued quarantine or the date of their release.

Arrest Procedures and Treatment of Detainees

The constitution requires a written warrant of arrest except in cases where an individual is caught in the act of committing a crime. Authorities generally apprehended persons with warrants based on evidence and issued by a judge, although this was frequently ignored when allegations of gang membership arose. Police generally informed detainees promptly of charges against them.

The law permits release on bail for detainees who are unlikely to flee or whose release would not impede the investigation of the case. The bail system functioned adequately in most cases. The courts generally enforced a ruling that interrogation without the presence of counsel is coercive and that evidence obtained in such a manner is inadmissible. As a result PNC authorities typically delayed questioning until a public defender or an attorney arrived. The constitution permits the PNC to hold suspects for 72 hours before presenting them to court. The law allows up to six months for investigation of serious crimes before requiring either a trial or dismissal of the case; this period may be extended by an appeals court. Many

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cases continued beyond the legally prescribed period.

Arbitrary Arrest: As of August 27, the PDDH reported 22 complaints of arbitrary detention or illegal detention, compared with 66 from January to August 2019. Most of the complaints were related to alleged violations of the COVID-19 quarantine.

In March the NGO Cristosal presented a habeas corpus petition to the Constitutional Chamber of the Supreme Court on behalf of three women in Jiquilisco, Usulután Department, who were arrested and taken into police custody after they went shopping for food and medication. On April 8, the court ordered the government to release the women, since shopping for food and medication was a permitted exception to the stay-at-home order and thus the arrests were illegal. On the same day, the Constitutional Chamber issued a resolution ordering the executive branch to stop illegal and arbitrary arrests and detentions. The Constitutional Chamber stated that any arrest or decision to take someone to a quarantine facility needed the legal framework of a legislative decree, not a presidential decree. The court stated that the decision to move someone into quarantine should be made by health officials only in cases where there are risks of being exposed to or spreading COVID-19.

In a follow-up order on April 15, the Constitutional Chamber ordered the executive branch to set up a registry of persons who had been detained and those who had been released, and mandated that the PDDH monitor the situation and send progress reports to the court every five days. President Bukele announced via Twitter that his administration did not recognize the court's resolutions or the oversight role of the PDDH.

The Constitutional Chamber ruled in April that any military, police, or other security officials who committed abuses in applying COVID-19 containment policies, including strict enforcement of a stay-at-home order resulting in arbitrary arrests or detention, would be held personally responsible for their actions. The court warned that no one would be allowed to claim “due obedience” for complying with orders and that neither the military nor police were authorized to carry out discretionary or arbitrary arrests.

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The Constitutional Chamber received 330 habeas corpus petitions in the two months after the government instituted the nationwide stay-at-home order. Prior to COVID-19, the Constitutional Chamber averaged approximately 400 petitions a year. Most of the complaints involved alleged violations of citizens' freedom of movement, brought by individuals who were detained in containment centers for disobeying the stay-at-home order. On or about May 11, security forces stopped sending individuals to containment centers for circulating publicly and instead began sending them home. According to the IDHUCA Human Rights Observatory report, 16,756 persons were detained and released from the containment centers from March 21 to August 24.

Pretrial Detention: Lengthy pretrial detention was a significant problem. As of August three-quarters of the general prison population had been convicted and one-quarter had yet to be tried. Some persons remained in pretrial detention longer than the maximum legal sentences for their alleged crimes. In such circumstances detainees were permitted to request a Supreme Court review of their continued detention.

e. Denial of Fair Public Trial

Although the constitution provides for an independent judiciary, the government did not always respect judicial independence, and the judiciary was burdened by inefficiency.

On February 9, President Bukele used the PNC and armed soldiers to pressure and intimidate the Legislative Assembly to approve funding for his security plan. The Constitutional Chamber of the Supreme Court of Justice stated his action put “at risk the republican, democratic and representative form of government, the pluralist political system and in a particular way the separation of powers.” Observers noted that although at the time President Bukele believed his actions were justified based on the advice of his legal counsel, his subsequent acquiescence to the ruling of the Supreme Court prohibiting further such actions demonstrated the independence of the judicial branch.

While the government generally respected court orders, some agencies ignored or minimally complied with orders.

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As of August the PDDH received 12 complaints of lack of a fair public trial.

On August 28, the judge in the prosecution of 13 surviving former military officers for the alleged El Mozote massacre of more than 800 civilians in 1981 ordered inspections of 12 military archives and the national historical archives between September 21 and November 13. After the Ministry of Defense refused to permit the El Mozote judge to access archives on September 21, President Bukele defended the ministry's actions in a national address on September 24, claiming the judge has no jurisdiction over the armed forces and no right to access the archives. On October 12, the Supreme Court Constitutional Chamber rejected a Ministry of Defense petition seeking to block the military archive inspections. As of October 19, the ministry continued to refuse the El Mozote judge access to inspect the military archives, notwithstanding the Supreme Court ruling.

Trial Procedures

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right, although some trial court judges were subject to political, economic, or other corrupting influences. By law juries hear only a narrow group of cases, such as environmental complaints. In those cases after the jury determines innocence or guilt, a panel of judges decides the sentence.

Defendants have the right to be present in court (except in virtual trials; see below), question witnesses, and present witnesses and evidence. The constitution further provides for the presumption of innocence, the right to be informed promptly and in detail of charges, the right to a trial without undue delay (seldom observed), protection from self-incrimination, the right to communicate with an attorney of choice, the right to adequate time and facilities to prepare a defense, freedom from coercion, the right to appeal, and government-provided legal counsel for the indigent.

In criminal cases a judge may allow a private plaintiff to participate in trial proceedings (calling and cross-examining witnesses, providing evidence, etc.), assisting the prosecuting attorney in the trial procedure. Defendants have the right to free assistance of an interpreter. Authorities did not always respect these legal rights and protections. Although a jury's verdict is final, a judge's verdict is

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subject to appeal. Trials are public unless a judge seals a case.

While implemented in 2015 to expedite fair trials, virtual trials still involved delays. The law allows for virtual trials for gang membership charges to proceed without the defendants present, although with defense counsel participating. The law requires judicial and prison authorities to provide a video copy of the virtual trial to the defendants within 72 hours so they may exercise their right to defense.

Virtual trials often involved group hearings before a judge, with defendants unable to consult with their defense lawyers in real time. The law allows defense lawyers to attend a hearing without the defendant's presence. Human rights groups questioned the constitutionality of the reform.

Legal experts pointed to an overreliance on witness testimony, as opposed to the use of forensics or other scientific evidence. The justice system lacked DNA analysis and other forensic capabilities.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The law provides for access to the courts, enabling litigants to submit civil lawsuits seeking damages for, as well as cessation of, human rights violations. Domestic court orders generally were enforced. Most attorneys pursued criminal prosecution and later requested civil compensation.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and there were no reports the state intelligence service tracked journalists or collected information regarding their private lives.

In many neighborhoods, armed groups and gangs targeted certain persons and interfered with privacy, family, and home life. Efforts by authorities to remedy

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these situations were generally ineffective.

Section 2. Respect for Civil Liberties, Including

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of expression, including for the press, although the government at times did not respect this right. The law permits the executive branch to use the emergency broadcasting service to take control of all broadcast and cable networks temporarily to televise political programming.

Freedom of Press and Media, Including Online Media: Journalists from several digital and print media outlets publicly accused President Bukele, his administration, and his supporters of a pattern of harassment designed to constrain media. In public statements and in testimony to the Legislative Assembly, journalists claimed President Bukele and his cabinet officials bullied them on Twitter, threatened them with physical harm, launched unwarranted financial investigations into their taxes and funding sources, denied them access to press conferences, and surveilled them. President Bukele strongly denied threatening journalists and dismissed accusations he was stifling freedom of the press. President Bukele called public attention to the outlets' funding sources, which he claimed carry a heavy political bias and had been mobilized by the opposition ahead of legislative elections scheduled to be held in February 2021.

Violence and Harassment: On April 15, the Inter American Press Association reported several journalists complaining that progovernment trolls harassed, discredited, and threatened journalists on Twitter.

As of April the Salvadoran Journalist Association (APES) had registered 54 violations of the exercise of journalism. Among these were restrictions to asking questions during press conferences related to the government handling of the pandemic, destruction of journalistic material, harassment against independent journalists and discrediting of media outlets by government officials. As of August 27, the PDDH had received 10 complaints of violence against journalists by government officials.

On September 14, the digital newspaper *El Faro* filed suit against the government,

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accusing the Finance Ministry of using aggressive auditing practices to punish the firm for its critical reporting. *El Faro* representatives claimed auditors were asking for more information than the law allows, including nonfinancial records, for use other than auditing purposes that could lead to a form of censorship.

Censorship or Content Restrictions: Government advertising accounted for a significant portion of media income. According to media reports, the Bukele administration punitively cancelled all government advertising in the newspaper *El Diario de Hoy* after it reported on the banning of some journalists from the president's press conferences. According to APES, media practiced self-censorship, especially in reporting on gangs and narcotics trafficking.

On October 5, the government began broadcasting a state-owned newscast on Channel 10. On October 19, the government launched the state-owned newspaper *Diario El Salvador*. Serafin Valencia of APES criticized the state-owned media outlets as “government propaganda disguised as journalism.”

Nongovernmental Impact: APES noted journalists who reported on gangs and narcotics trafficking were subject to kidnappings, threats, and intimidation. Observers reported that gangs also charged print media companies to distribute in their communities, costing media outlets as much as 20 percent of their revenues.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights, except with respect to labor unions (see section 7.a.).

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c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights, although in many areas the government could not ensure freedom of movement due to criminal gang activity.

In-country Movement: The major gangs controlled access to their specific territories. Gang members did not allow persons living in another gang's area to enter their territory, even when travelling via public transportation. Gangs forced persons to present government-issued identification cards (containing their addresses) to determine their residence. If gang members discovered that a person lived in a rival gang's territory, that person risked being killed, beaten, or denied entry to the territory. Bus companies paid extortion fees to operate within gang territories, often paying numerous fees for the different areas in which they operated. The extortion costs were passed on to customers.

As of July the FGR had filed 463 cases charging an illegal limitation on the freedom of movement, a decrease from the 1,515 cases brought from January through October 2019. The FGR reported 81 convictions for such charges through July 13, compared with 50 through the same period in 2019.

e. Status and Treatment of Internally Displaced Persons

The Internal Displacement Monitoring Center (IDMC) estimated there were 454,000 additional internally displaced persons (IDPs) due to violence in 2019 and reported the causes of internal displacement included threats, extortion, and assassinations perpetrated by criminal gangs. The IDMC also reported 1,900 additional IDPs due to natural disasters in 2019.

On January 10, the NGO ARPAS, an association of community radio networks, reported that the Legislative Assembly approved the Special Law for the

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Comprehensive Care and Protection of Internally Displaced Persons. The law calls for the creation of a national system whose main function is to implement and evaluate the national policy towards IDPs.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and some assistance to IDPs, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern, although this was often difficult in gang-controlled neighborhoods.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: The most recent presidential election occurred in February 2019. Nayib Bukele, of the center-right Grand Alliance for National Unity party, was elected to a five-year term. The election reports published by the Organization of American States and the EU electoral mission noted the election generally met international standards.

Political Parties and Political Participation: While the law prohibits public officials from campaigning in elections, the provision lacked consistent enforcement.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. The law requires all registered political parties to have at least 30 percent of their candidates for the Legislative Assembly be women. On

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October 13, the newspaper *El Diario de Hoy* reported a low rate of women's participation in politics, stating that women held 26 of the 84 seats in the Legislative Assembly and 29 of the 262 mayor offices.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of corruption by officials. Although the Supreme Court investigated corruption in the executive and judicial branches and referred some cases to the FGR for possible criminal indictment, corruption and impunity remained endemic. Courts issued inconsistent rulings and failed, in particular, to address secret discretionary accounts within the government.

Corruption in the judicial system contributed to the high level of impunity, undermining the rule of law and the public's respect for the judiciary. As of June 30, the Supreme Court had received complaints against 46 judges due to irregularities (41 of which remained under review) and had punished one judge. Accusations against judges included collusion with criminal elements and sexual harassment.

Corruption: On September 3, *El Faro* accused the Bukele administration of negotiating with senior gang leaders since 2019 to obtain electoral support and a reduction in homicides prior to the February 2021 legislative and municipal elections. On September 4, the attorney general announced an investigation into *El Faro*'s allegations. On June 23, the FGR arrested former defense minister David Victoriano Munguia Payes and issued an arrest warrant for former president Mauricio Funes, for their alleged roles in similar negotiations associated with the 2012-14 truce with the MS-13 and 18th Street gangs.

In June, July, and August, local press reported on irregular government purchases of food, personal protective equipment, and other supplies to combat the COVID-19 pandemic that allegedly involved inflated prices, agreements with companies linked to government officials, and purchases from companies with no past experience selling the purchased products or similar products. These transactions included the purchase of \$1.1 million of protective masks for allegedly inflated

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prices from companies associated with the newly appointed finance minister, Jose Alejandro Zelaya, and the head of the Salvadoran Environmental Fund, Jorge Alejandro (“Koky”) Aguilar Zarco; the purchase of \$12 million in medical supplies from Javi Performance Parts, a Spanish automobile parts company that last filed required financial reports in 2012, and \$3.5 million in medical supplies from Lasca Design LLC, a Florida-based ceramics company, neither of which have any apparent experience manufacturing or selling medical supplies.

President Bukele fired Aguilar Zarco shortly after his reported transactions became public, and as of October 19, Aguilar Zarco was the only administration official to lose his job because of pandemic-related corruption allegations. On June 26, the attorney general confirmed he had opened criminal investigations of several senior Bukele administration officials based on newspaper reports of corruption. As of October 19, the attorney general had not publicly filed charges against any of those officials.

As of June 30, the Supreme Court’s Probity Section had opened 47 illicit enrichment investigations against public officers and forwarded two cases to the FGR for potential prosecution.

On August 14, two former defense ministers, David Victoriano Munguia Payes and Jose Atilio Benitez Parada, and the former president of the National Republican Alliance (ARENA), Gustavo Lopez Davidson, were arrested on various embezzlement-related charges associated with a two-million-dollar weapons transaction in 2012. The FGR also filed charges against and issued arrest warrants for several other defendants, including former president Mauricio Funes.

As of August the Ethics Tribunal reported that it had opened 355 administrative proceedings against public officials between September 2019 and August 31. One complaint against a Supreme Court magistrate ended with the judge removed from the bench. As of September 3, the FGR had filed claims against three judges for committing crimes involving corruption or for violating public administration laws.

Financial Disclosure: The illicit enrichment law requires appointed and elected officials to declare their assets to the Probity Section of the Supreme Court. The

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law establishes modest fines for noncompliance. The declarations were not available to the public unless requested by petition. The Supreme Court established three criteria for selecting investigable cases: age of the case (that is, proximity to the statute of limitations), relevance of the official's position, and seriousness and notoriety of the alleged illicit enrichment.

On July 6, local investigative magazine *Factum* reported that the Supreme Court Probity Section had identified \$1.4 million in unjustified funds in the accounts of Walter Araujo, an outspoken Bukele supporter, legislative candidate for the political party Nuevas Ideas and former Supreme Electoral Court magistrate. As of September 14, the Supreme Court judges had not yet voted on whether to send Araujo to trial for illicit enrichment.

The law requires public officers to present asset certification reports no later than 60 days after taking a position. In September the Supreme Court Probity Section reported that 112 public officers had failed to present their assets certifications in the 10 previous years and two public officers from the current administration had failed to present their assets certification in the last year.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

In March several international and national nongovernmental human rights organizations, such as Amnesty International, Human Rights Watch, Tutela Legal, and Cristosal, among others, questioned the government's methods to contain the spread of COVID-19 and warned that these methods violated the rule of law and opened the door to arbitrary detentions and abuses of power by police. President Bukele criticized these groups through his Twitter account.

Government Human Rights Bodies: The principal human rights investigative

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and monitoring body is the autonomous PDDH, whose ombudsman is nominated by the Legislative Assembly for a three-year term. The PDDH regularly issued advisory opinions, reports, and press releases on prominent human rights cases. There was a tense relationship between the PDDH and the Bukele administration. The PDDH ombudsman, Jose Apolonio Tobar, said his institution received constant attacks, particularly from President Bukele, who stigmatized him as a defender of criminals. President Bukele publicly discredited the work of the PDDH ombudsman on several occasions. When the Legislative Assembly nominated Tobar as the PDDH ombudsman in October 2019, Tobar was facing three criminal cases for “fraud, bribery, and arbitrary acts” from his time as a civil court judge, and international organizations, NGOs, several legislators, the San Salvador mayor, and President Bukele criticized the nomination.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape of men or women, and the law’s definition of rape may apply to spousal rape, at the judge’s discretion. The law requires the FGR to prosecute rape cases whether or not the victim presses charges, and the law does not permit the victim to withdraw the criminal charge. The penalty for conviction of rape is generally imprisonment for six to 10 years. Laws against rape were not effectively enforced.

The law prohibits domestic violence and generally provides for sentences for conviction ranging from one to three years in prison, although some forms of domestic violence carry higher penalties. The law also permits restraining orders against offenders. Laws against domestic violence remained poorly enforced, and violence against women, including domestic violence, remained a widespread and serious problem. In 2018 the Salvadoran Organization of Women for Peace (ORMUSA) reported that in 2016 and 2017, only 5 percent of the 6,326 reported crimes against women went to trial.

On January 31, the Specialized Court of Instruction for a Life Free of Violence and Discrimination against Women found the boyfriend of a journalist from the

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newspaper *La Prensa Grafica* guilty of femicide for her death and imposed the maximum prison sentence of 50 years. The National Coordinator of Femicides from the FGR stated the ruling sent a message that “in this country it will not be allowed to continue killing women because of their condition of being a woman.”

On April 3, ORMUSA reported a 70 percent increase in domestic violence cases during the nationwide stay-at-home order. According to the *IDHUCA Human Rights Observatory Report*, the FGR registered 158 cases of domestic violence between March 21 and May 13.

Sexual Harassment: The law prohibits sexual harassment and establishes sentences if convicted of five to eight years’ imprisonment. Courts also may impose additional fines in cases in which the perpetrator held a position of trust or authority over the victim. The law mandates that employers take measures against sexual harassment and create and implement preventive programs. The government, however, did not enforce sexual harassment laws effectively.

According to the *2019 Survey of Households and Multiple Purposes* of the General Directorate of Statistics and Censuses, at least 889 women left their workplace due to sexual harassment from supervisors and coworkers, compared with approximately 1,340 cases in 2018.

Reproductive Rights: Couples and individuals generally have the right to decide the number, spacing, and timing of their children, and had access to the information and means to do so. Access to reproductive health services outside of the capital city was limited.

The law completely bans abortions. Civil society advocates expressed concern that the ban has led to the wrongful incarceration of women who suffered severe pregnancy complications, including miscarriages.

On September 20, the First Court of Penitentiary Surveillance approved the request for early parole for Cindy Erazo, who spent six years in prison for conviction in 2015 of aggravated homicide based on giving birth to a stillborn baby in 2014. Erazo was sentenced to 30 years in prison, but a successful appeal in 2016 reduced her sentence to 10 years. At the end of the year, 18 women remained in prison for similar crimes.

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In 2016 the Institute for Women's Development implemented the National Care System to improve the care, protection, and access to justice for victims of sexual and other types of violence. The specialized comprehensive care includes medical care, counseling, family planning, medical examinations, and treatment of sexually transmitted infections in victims of sexual violence.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: The constitution grants women and men the same legal rights, but women did not receive equal pay or employment opportunities. The law establishes sentences of one to three years in prison for public officials convicted of denying a person's civil rights based on gender and six months to two years for employers convicted of discriminating against women in the workplace, but employees generally did not report such violations due to fear of employer reprisals.

In July a female legislator filed a complaint with the FGR against the president of the Legislative Assembly, Mario Ponce, and ARENA legislator Mauricio Vargas for gender discrimination in the workplace and psychological and public harassment. The 11th Peace Court declared the lawsuit inadmissible because both Ponce and Vargas had legislative immunity.

Children

Birth Registration: Children derive citizenship by birth within the country and from their parents. The law requires parents to register a child within 15 days of birth or pay a small fine. Failure to register may result in denial of school enrollment.

Child Abuse: Child abuse remained a serious and widespread problem. The law gives children the right to petition the government without parental consent. Penalties for conviction of breaking the law include losing custody of the child and three to 26 years' imprisonment, depending on the nature of the abuse.

On February 29, the FGR arrested a teacher in Santiago de Maria, Usulután Department, for sexual aggression against a 10-year-old girl.

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On June 2, the Criminal Chamber of the Supreme Court overturned the November 2019 lower court decision that had eliminated criminal charges against Judge Eduardo Jaime Escalante Diaz for sexually touching a 10-year-old girl. The court ordered the trial court to proceed with a criminal trial for sexual assault.

Child, Early, and Forced Marriage: The legal minimum age for marriage is 18. The law bans child marriage to prevent child abusers from avoiding imprisonment by marrying their underage victims. The law allows for marriage of a minor in cases of pregnancy.

Sexual Exploitation of Children: Child sex trafficking is prohibited by law. Prison sentences for convicted traffickers stipulate imprisonment from 16 to 20 years.

The minimum age for consensual sex is 18. The law classifies statutory rape as sexual relations with anyone younger than age 18 and includes penalties for conviction of four to 13 years' imprisonment.

The law prohibits paying anyone younger than age 18 for sexual services. The law prohibits participating in, facilitating, or purchasing materials containing child pornography and provides for prison sentences of up to 16 years for conviction of violations. Despite these provisions, sexual exploitation of children remained a problem.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The Jewish community totaled approximately 150 persons. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at

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<https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The National Council for Comprehensive Attention to Persons with Disability (CONAIPD), composed of representatives from multiple government entities, is the governmental agency responsible for protecting disability rights, but it lacks enforcement power. According to a CONAIPD representative, the government did not effectively enforce legal requirements for access to buildings, information, and communications for persons with disabilities. Few access ramps or provisions for the mobility of persons with disabilities existed.

CONAIPD stated there was no mechanism to verify compliance with the law requiring businesses and nongovernment agencies to hire one person with disabilities for every 25 hires. CONAIPD reported employers frequently fired persons who acquired disabilities and would not consider persons with disabilities for work for which they qualified. Further, some academic institutions would not accept children with disabilities.

No formal system existed for filing a discrimination complaint involving a disability with the government.

On March 6, the newspaper *El Diario de Hoy* reported that the FGR charged two PNC officers with the crime of torture based on a video showing the two officers beating a person with disabilities. Although the video was filmed in 2017, it was widely circulated on social media on March 4, and President Bukele and the PNC director immediately denounced the violent act through Twitter.

Indigenous People

Indigenous communities reported they faced racial discrimination and economic disadvantage. According to community leaders, gangs pushed out of urban centers by police mounted incursions into and appropriated indigenous land. Indigenous persons also reported gang members threatened indigenous children for crossing gang territorial lines artificially drawn across ancestral indigenous land, forcing

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some children to drop out of school or leave home.

According to the 2007 census (the most recent), there were 60 indigenous groups, making up 0.4 percent of citizens, mainly from the Nahua-Pipil, Lencas, Cacaopera (Kakwira), and Maya Chorti groups. The constitution recognizes the rights of indigenous peoples to maintain their cultural and ethnic identity. The law, however, does not include the right to be consulted regarding development and other projects envisioned on indigenous land, nor does it provide indigenous peoples the right to share in revenue from exploitation of natural resources on historically indigenous lands. The government did not demarcate any lands as belonging to indigenous communities. Because few indigenous persons possessed title to land, opportunities for bank loans and other forms of credit remained limited.

The law provides for the preservation of languages and archeological sites. The municipalities of Cacaopera and Yucuaiquin, in the eastern part of the country, have special laws to recognize their indigenous cultural heritage.

Acts of Violence, Criminalization, and Other Societal Abuses Based on Sexual Orientation and Gender Identity

On July 28, the First Sentencing Court of San Salvador found three PNC officers guilty of the aggravated homicide in January 2019 of Camila Diaz Cordova, a transgender woman, and sentenced each officer to 20 years in prison. These were reportedly the first convictions for the homicide of a transgender person. While the Prosecutor's Office initially accused the officers of committing a "hate crime," the Fifth Peace Court decided on March 11 that there was insufficient evidence to establish a hate crime had occurred.

Lesbian, gay, bisexual, transgender, and intersex (LGBTI) activists reported to the FGR that they received death threats on social media. Police generally failed to act on these reports. NGOs reported that public officials, including police, engaged in violence and discrimination against LGBTI persons. Persons from the LGBTI community stated the PNC and the FGR harassed transgender and gay individuals who reported cases of violence against LGBTI persons, including by conducting unnecessary and invasive strip searches.

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The Bukele administration eliminated five presidential secretariats created under the previous administration, including the Secretariat of Inclusion. The Secretariat of Inclusion focused on issues affecting the LGBTI community and supported LGBTI persons through a telephone line. The Ministry of Cultural Affairs assumed some of the functions of the Secretariat of Inclusion, but the telephone line for support to LGBTI persons was deactivated and replaced by information on pregnancy and childcare support.

The law prohibits discrimination based on sexual orientation or gender identity, which applies to discrimination in housing, employment, nationality, and access to government services. Gender identity and sexual orientation are included in the law covering hate crimes, along with race and political affiliation.

Supreme Electoral Tribunal guidelines from 2017 state individuals may not be denied the right to vote because the photograph on their identification card does not match their physical appearance. Nonetheless, media documented cases of transgender persons who faced harassment while voting in the presidential elections because their name and photograph on their national identification document did not match their expression of gender identity.

HIV and AIDS Social Stigma

Although the law prohibits discrimination on the basis of HIV/AIDS status, Entre Amigos, an LGBTI NGO, reported HIV-related discrimination was widespread. As of August 31, the PDDH reported one alleged case of discrimination against persons with HIV or AIDS that purportedly took place at a public health workers union in La Union Department.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of most workers to form and join independent unions, to strike, and to bargain collectively, but violations were reported to the Ministry of Labor. The law also prohibits antiunion discrimination although it does not require reinstatement of workers fired for union activity. Military personnel, national police, judges, and high-level public officers may not form or

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join unions. The labor code does not cover public-sector workers and municipal workers, whose wages and terms of employment are regulated by the 1961 civil service law. Only citizens may serve on unions' executive committees. The labor code also bars individuals from holding membership in more than one trade union.

Unions must meet complex requirements to register, including having a minimum membership of 35 individuals. If the Ministry of Labor denies registration, the law prohibits any attempt to organize for up to six months following the denial. Collective bargaining is obligatory only if the union represents the majority of workers.

The law contains cumbersome and complex procedures for conducting a legal strike. The law does not recognize the right to strike for public and municipal employees or for workers in essential services. The law does not specify which services meet this definition, and courts therefore apply this provision on a case-by-case basis. The law requires that 30 percent of all workers in an enterprise must support a strike for it to be legal and that 51 percent must support the strike before all workers are bound by the decision to strike. Unions may strike only to obtain or modify a collective bargaining agreement or to protect the common professional interests of the workers. Unions must engage in negotiation, mediation, and arbitration processes before striking, although many unions often skipped or expedited these steps. The law prohibits workers from appealing a government decision declaring a strike illegal.

In lieu of requiring employers to reinstate illegally dismissed workers, the law requires employers to pay those workers the equivalent of 30 days of their basic salary for each year of service. The law specifies 30 reasons for which an employer may terminate a worker's contract without triggering any additional responsibilities, including consistent negligence, leaking private company information, or committing immoral acts while on duty. An employer may legally suspend workers, including due to an economic downturn or market conditions.

The government did not effectively enforce the laws on freedom of association and the right to collective bargaining, and penalties were not commensurate with those for other laws involving denials of civil rights, such as discrimination. Judicial procedures were subject to lengthy delays and appeals. According to union

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representatives, the government inconsistently enforced labor rights for a wide range of workers. Unions reported that their members frequently faced violence or threats of violence and that viable legal recourse against such violence was unavailable. Gang activity made it difficult for workers, who continued to be harassed and exposed to violence, to exercise their union activities freely.

Unions functioned independently from the government and political parties, although many generally were aligned with the traditional political parties of ARENA and the Farabundo Marti National Liberation Front. The elected leadership of the Social Security Institute Workers Union alleged that a group of dissident members aligned with the government seized control of the union in 2019 and gained government recognition by a manner contrary to the union's by-laws. Workers at times engaged in strikes regardless of whether the strikes met legal requirements.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government generally did not effectively enforce such laws. Penalties were not commensurate with those for other analogous serious crimes, such as kidnapping. The Ministry of Labor did not report on forced labor. Children and adults were exposed to forced begging, domestic work, agricultural labor, construction, and street work. Adults from neighboring countries were forced to work in construction, domestic work, and other informal sector jobs, sometimes under threat of physical violence. Gangs subjected children to forced labor in illicit activities, including selling or transporting drugs and committing homicides (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children younger than age 14 but does not prohibit all of the worst forms of child labor. The law allows children between ages 14 and 18 to engage in light work if it does not damage the child's health or development or interfere with compulsory education. The law prohibits children

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younger than 16 from working more than six hours per day and 34 hours per week; those younger than 18 are prohibited from working at night or in hazardous occupations. The Ministry of Labor maintained a list of types of hazardous work, which included repairing heavy machinery, mining, handling weapons, fishing and harvesting mollusks, and working at heights above five feet while doing construction, erecting antennas, or working on billboards. Children age 16 and older may engage in light work on coffee and sugar plantations and in the fishing industry if it does not harm their health or interfere with their education.

The Ministry of Labor is responsible for enforcing child labor laws but did not effectively enforce the law. Penalties were not commensurate with those for other analogous serious crimes, such as kidnapping. Labor inspectors focused almost exclusively on the formal sector. According to the ministry, from January through August, officials conducted 220 child labor inspections in the formal sector and found no minors working. By comparison, in 2017, according to the ministry, there were 140,700 children and adolescents working, of whom 91,257 were employed in “dangerous work” in the informal sector. No information on any investigations or prosecutions by the government was available. The ministry did not effectively enforce child labor laws in the informal sector, which represented almost 75 percent of the economy.

There were reports of children younger than age 16 engaging in the worst forms of child labor, including in coffee cultivation, fishing, shellfish collection, and fireworks production. Children were subjected to other worst forms of child labor, including commercial sexual exploitation (see section 6, Children) and recruitment into illegal gangs to perform illicit activities in the arms and narcotics trades, including committing homicide. Children were engaged in child labor, including domestic work, the production of cereal grains and baked goods, cattle raising, and sales. Orphans and children from poor families frequently worked as street vendors and general laborers in small businesses despite the presence of law enforcement officials.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>.

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d. Discrimination with Respect to Employment and Occupation

The constitution, labor laws, and state regulations prohibit discrimination on the basis of race, color, sex, religion, political opinion, national origin (except in cases determined to protect local workers), social origin, gender, disability, language, or HIV-positive status. The government did not effectively enforce those laws and regulations, and penalties were not commensurate to laws related to civil rights, such as election interference. Sexual orientation and gender identity are not protected in the constitution or labor law, although the PDDH and the Ministry of Labor actively sought to protect workers against discrimination on those grounds.

Discrimination in employment and occupation occurred with respect to gender, disability, and sexual orientation or gender identity (see sections 6 and 7.e.). According to the Ministry of Labor, migrant workers have the same rights as citizens, but the ministry did not effectively protect their rights.

As of May the Ministry of Labor had not received complaints of disability discrimination but had received six complaints of gender-based discrimination. The law, reformed in 2018, prohibits the dismissal of women returning from maternity leave for up to six months.

e. Acceptable Conditions of Work

The government sets the minimum wage, which varies by sector. All of the wage rates were above poverty income levels. The government enforced the minimum wage law more effectively in the formal sector than in the informal sector.

The law sets a maximum normal workweek of 44 hours--limited to no more than six days and to no more than eight hours per day--but allows overtime, which is to be paid at a rate of double the usual hourly wage. The law mandates that full-time employees receive pay for an eight-hour day of rest in addition to the 44-hour normal workweek. The law provides that employers must pay double time for work on designated annual holidays, a Christmas bonus based on the time of service of the employee, and 15 days of paid annual leave. The law prohibits compulsory overtime for all workers other than domestic employees, such as maids and gardeners, who are obligated to work on holidays if their employer makes this

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request. In such cases they are entitled to double pay. The government did not adequately enforce these laws, and penalties were not commensurate with those for similar crimes, such as fraud.

The Ministry of Labor is responsible for setting and enforcing occupational safety and health (OSH) standards, and the law establishes a tripartite committee to review these. The law requires employers to take steps to meet OSH requirements in the workplace, including providing proper equipment and training and a violence-free environment. Employers who violate labor laws may be penalized, but penalties were not commensurate with those for other similar crimes; some companies reportedly found it more cost-effective to pay the fines than to comply with the law. The law promotes occupational safety awareness, training, and worker participation in OSH matters. While the laws were appropriate for the main industries and the government trained its inspectors on these standards, it did not effectively enforce them.

The number of inspectors was insufficient to deter violations. Inspectors did not have the authority to initiate unannounced inspections or sanctions. Inspections were scheduled under a calendar set by the Inspections Directorate or to verify a complaint, and labor inspectors did not notify the company prior to their arrival. During the COVID-19 pandemic, labor inspectors made several unannounced inspections to verify employers were providing workers with personal protective equipment such as hand sanitizers and masks. As of September labor inspectors completed 17,512 inspections, compared with 33,636 inspections conducted in all of 2019. Allegations of corruption among labor inspectors continued. The Labor Ministry received complaints regarding failure to pay overtime, minimum wage violations, unpaid salaries, and cases of employers illegally withholding benefits (including social security and pension funds) from workers.

Reports of overtime and wage violations existed in several sectors. According to the Labor Ministry, employers in the agricultural sector routinely violated the laws requiring annual bonuses, vacation days, or rest days. Women in domestic service faced exploitation, mistreatment, verbal abuse, threats, sexual harassment, and generally poor work conditions. Workers in the construction industry and domestic service reportedly experienced violations of wage, hour, and safety laws. According to ORMUSA, civil society organizations, and media, certain apparel

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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.