

# **EL SALVADOR 2014 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

El Salvador is a constitutional multi-party republic. In March voters elected Salvador Sanchez Ceren of the Farabundo Marti National Liberation Front (FMLN) as president for a five-year term in generally free and fair elections. Free and fair legislative assembly and municipal elections took place in 2012. Authorities failed at times to maintain effective control over the security forces.

The principal human rights problems were widespread corruption; weaknesses in the judiciary and the security forces that contributed to a high level of impunity; and abuse, including domestic violence, discrimination, and commercial sexual exploitation of women and children.

Other human rights problems included isolated unlawful killings and cruel treatment by security forces, harsh and life-threatening prison conditions, lengthy pretrial detention, some restrictions on freedom of speech and press, trafficking in persons and human smuggling, including of unaccompanied children, and discrimination against persons with disabilities and persons with HIV/AIDS. There was also widespread discrimination and some violence against lesbian, gay, bisexual, and transgender (LGBT) persons. Child labor and inadequate enforcement of labor laws also were problems.

Impunity persisted despite the government taking steps to dismiss some officials who committed abuses in the penitentiary system and within the police force.

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

#### **a. Arbitrary or Unlawful Deprivation of Life**

During the year there were no verified reports the government or its agents committed politically motivated killings; however, there were reports of security force involvement in unlawful killings. As of July the Office of the Ombudsman for Human Rights (PDDH) received 17 complaints of alleged unlawful killings committed by security, military, and other public officials. Although the PDDH defines all killings by government personnel as “extrajudicial killings,” there were no verifiable reports of deliberate, unlawful killings carried out by order of the government or with its complicity. As of July the Office of the Inspector General (IG) of the National Civilian Police (PNC) reported 18 PNC officers faced charges

of homicide during the year, with 14 of the alleged homicides occurring while the officers were on duty.

On June 30, the Third Sentencing Tribunal of San Salvador convicted police officer Mena Mena of the 2013 homicide of Reyes Chavez and sentenced him to 13 years in prison. Court documents indicated Mena Mena accepted a \$4,000 payment from members of the 18th Street Gang to kill Reyes Chavez. Police also arrested five 18th Street Gang members and charged them as co-conspirators to the killing. They were in detention and awaiting trial.

### **b. Disappearance**

There were no reports of politically motivated disappearances, abductions, or kidnappings. As of July the nongovernmental organization (NGO) Association for the Search for Missing Children (Pro-Busqueda) received eight new complaints regarding children who disappeared during the 1980-1992 civil war. Pro-Busqueda reported nine new complaints of forced disappearances of children that reportedly occurred during war. As of August it continued to investigate 934 open cases and resolved two other cases.

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

The law prohibits such practices. The PDDH received 30 complaints of torture or cruel, inhuman, or degrading treatment or punishment perpetrated by public officials, involving 22 complaints against PNC officials and eight against members of the armed forces. The PDDH also received 293 complaints of violations of human integrity: 248 against PNC officers, 25 against members of the armed forces, and 20 against other public officers. The PDDH received 365 complaints of unauthorized searches, mistreatment, physical abuse, insults, and harassment committed by the military in their conduct of joint patrols with the PNC. The Ministry of Defense Human Rights Office stated it investigated all cases against members of the armed forces.

As of August the Ministry of Defense Human Rights Office received 22 complaints of alleged human rights abuses and sanctioned one soldier for damage of physical integrity. The soldier reportedly compelled a reputed gang member to perform 100 push-ups while supporting a log, resulting in a broken leg.

NGOs reported public officials, including police, engaged in violence and discrimination against sexual minorities. Persons from the LGBT community stated the agencies in charge of processing identification documents, the PNC and Office of the Attorney General (FGR), harassed transgender and gay individuals when they applied for identification cards or reported cases of violence against LGBT persons. The LGBT community reported authorities harassed LGBT persons through strip searches and questioning their gender in a degrading manner. The government responded to these abuses primarily through PDDH reports that publicized specific cases of violence and discrimination against sexual minorities.

### **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 was a serious threat to prisoners' health and lives. In many facilities provisions for sanitation, potable water, ventilation, temperature control, medical care, and lighting were inadequate. As of October 27, the prison directorate reported 27,781 prisoners held in 28 correctional facilities and one secure hospital ward, all of which had a combined appropriate capacity of 8,490. The prison population included 22,328 convicted prisoners and 5,553 inmates held in pretrial detention. As of October 27, there were 2,681 female prisoners. As of June there were 583 juvenile inmates, including 74 females in four prisons for juvenile offenders with a total appropriate capacity of 460 inmates. According to the director general of the prison system, as of September, prison overcrowding was at 325 percent. Due to prison overpopulation, police authorities held some pretrial detainees in small detention centers at police stations. As of September police authorities held 3,112 detainees in police station detention centers with a combined appropriate capacity of 2,039. Authorities held approximately 80 percent of these pretrial detainees in detention centers longer than the 72 hours legally permitted before presenting them to a court, some up to two years.

Due to the lack of holding cells, authorities often held pretrial detainees in regular prisons with violent criminals. Men and women had separate accommodations within the prisons. A separate women's prison in Ilopango was generally clean and allowed inmates' children under age five to stay with their mothers.

As of September 3, prison authorities reported 18 prisoners died due to natural causes, homicide, and suicide, including one juvenile prisoner who died of strangulation by hanging.

Gang activities in prisons and juvenile holding facilities remained a serious problem. Detention center facilities held 11,845 inmates who were current or former gang members. Officials separated gang members from the regular prison population when possible, but gangs continued to exercise influence within the prisons and judicial system.

Prisoners reportedly conducted criminal activities from their cells, at times with the complicity of prison guards. Smuggling of weapons, drugs, and other contraband such as cell phones and cell-phone SIM cards was a major problem in the prisons. As of September 2, prison authorities removed two guards from prisons for carrying illegal objects and sanctioned 74 guards for misconduct. There were no reported patterns of abuse of persons with disabilities in prisons, although the government's National Council for Comprehensive Attention to Persons with Disability (CONAIPD) previously reported isolated incidents, including sexual abuse.

The food quantity provided in prisons was adequate, although poor quality sometimes resulted in illness. Prisoners had inadequate access to potable water in some instances. Heating, ventilation, and lighting remained inadequate. Sanitation was poor due to overcrowding and infrequent cleaning of cells. Prisoners had access to medical care, but the number of providers was inadequate to address the medical needs of all prisoners. Detainees in police station detention centers did not have adequate access to food, proper lighting, ventilations, or heating. These detainees remained in overcrowded and unsanitary cells for all but 15 minutes a day without an opportunity for movement, exercise, or use of showers.

Administration: Prison authorities kept detailed electronic records of all prisoners. Authorities allowed release on bail for some nonviolent offenders. The solicitor's office implemented a mediation program, principally for cases related to family disputes. The FGR and the courts also had mediation programs and other alternative dispute resolution programs. In certain misdemeanor cases involving damages, judges suspended the judicial process when the defendant admitted guilt and adequately compensated the victim. Although there is no prison ombudsman, the PDDH oversees the rights of inmates and responded to complaints during the year. Prisoners and detainees had reasonable access to visitors and religious observance.

Prison authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. Prison authorities investigated such allegations, although investigators did not always document results in a publicly accessible manner.

Independent Monitoring: The government investigated and monitored prison and detention center conditions and permitted prison monitoring visits by independent human rights observers, NGOs, and the media. Church groups, the Central American University's Human Rights Institute, LGBT activists, and other groups visited prisons during the year.

#### **d. Arbitrary Arrest or Detention**

Although the constitution prohibits arbitrary arrest and detention, there were complaints that the PNC arbitrarily arrested and detained persons.

#### **Role of the Police and Security Apparatus**

The PNC, overseen by the Ministry of Justice and Public Security, is responsible for maintaining public security, and the Ministry of Defense has responsibility for maintaining national security. Although the constitution separates public security and military functions, article 168 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 the international border and conducting joint patrols with the PNC. Military personnel assigned to assist the PNC do not have arrest authority. President Sanchez Ceren renewed the decree authorizing military involvement in police duties through the end of the year.

In May 2013 the Supreme Court ruled unconstitutional the appointments of retired general Francisco Ramon Salinas Rivera as PNC director and retired general David Munguia Payes as minister of justice and public security due to their prior military careers.

Inadequate training, lack of enforcement of the administrative police career law, arbitrary promotions, insufficient government funding, failure to enforce evidentiary rules effectively, and instances of corruption and criminality limited

the PNC's effectiveness. The PDDH has the authority to investigate (but not prosecute) human rights abuses and refers all human rights abuse cases to the FGR. As of July the IG reported that authorities investigated 18 police officers for homicide. In the same period, the IG also received 909 complaints of alleged police misconduct, referred 24 of these cases to the FGR, and sanctioned 594 officers in response to complaints filed during the year and in prior years. These sanctions included 77 officers dismissed for misconduct and 385 suspended without pay. As of September 3, the FGR had investigated 280 accusations against police officers, resulting in five cases resolved through mediation and seven convictions.

The IG and the Ministry of Defense Human Rights Office reported that most PNC officers, police academy cadets, and all military personnel received human rights awareness training during the year, including training by the Salvadoran Institute for the Development of Women (ISDEMU), the Human Rights Institute of the University of Central America, and the Inter-American Institute of Human Rights. The PNC reported that as of July, 2,233 police officers received training on human rights. The Ministry of Defense Human Rights Office reported that every soldier received a minimum of three training sessions on human rights in a year.

### **Arrest Procedures and Treatment of Detainees**

The constitution requires a written warrant for arrest, except in cases where an individual is in the act of committing a crime. Authorities apprehended persons with warrants based on evidence and issued by a duly authorized official. The constitution grants detainees the right to a prompt judicial determination of the legality of their detention; however, as of June persons in pretrial detention constituted 20 percent of the general prison population. 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 generally delayed questioning until a public defender or an attorney arrived. Family members sometimes had access to detainees. Detainees generally had access to counsel of their choice or to an attorney provided by the state.

The constitution permits the PNC to hold a suspect for 72 hours before presenting them to court, after which the judge may order detention for an additional 72 hours to determine if an investigation is warranted. The law allows up to six months for investigation of serious crimes before requiring either a trial or dismissal of the case. In exceptionally complicated cases, the prosecutor may ask an appeals court to extend the deadline for three or six months, depending on the seriousness of the crime. Many cases continued beyond the legally prescribed period.

Arbitrary Arrest: The PDDH reported 51 complaints of arbitrary detention and 31 complaints of illegal detention.

Pretrial Detention: Lengthy pretrial detention was a significant problem. As of September, 20 percent of the general prison population was in pretrial detention. Lengthy legal procedures, large numbers of detainees, judicial inefficiency, corruption, and staff shortages caused trial delays. Because it may take several years for a case to come to trial, some persons remained in pretrial detention longer than the maximum legal sentences for their alleged crimes. In such circumstances detainees could request a Supreme Court review of their continued detention.

#### **e. Denial of Fair Public Trial**

Although the constitution provides for an independent judiciary, the judiciary suffered from inefficiency, corruption, political infighting, and insufficient resources.

Substantial corruption in the judicial system contributed to a high level of impunity, undermining the rule of law and the public's respect for the judiciary. According to the FGR, there were 3,898 convictions out of 28,324 cases that went to trial, as of September. An ineffective public security strategy, inadequate government funding and training of the PNC, and ineffective senior-level leadership made it difficult to identify, arrest, and prosecute perpetrators of human rights abuses and other crimes, thus diminishing public confidence in the justice system. Intimidation and killing of police officers, crime victims, and witnesses created a climate of fear, complicating investigations of violent crimes and other alleged human rights abuses.

The Legislative Assembly did not always comply with Supreme Court rulings. On August 26, the Supreme Court Constitutional Chamber (CSJ) ruled unconstitutional the Legislative Assembly's failure to enforce the Political Parties Law, specifically provisions requiring political parties to make party finances

(including origin and destination of party funds) public in accordance with the Public Information Law. The court ordered the Legislative Assembly to comply by October 21. On October 30, the Legislative Assembly passed further changes in the Political Parties Law that require party donors to authorize in advance the release of their names to the public. Civil society organizations criticized the reforms for not promoting transparency. There were also complaints that requiring prior authorization to release a donor's name undermined the intent of the CSJ ruling. As of November 3, none of the major political parties had publicly reported their party's finances.

As of July the PNC was providing protection to 38 victims, 81 witnesses, and 61 family members of victims and witnesses. Some judges denied anonymity to witnesses at trial, and gang intimidation and violence against witnesses contributed to a climate of impunity from criminal prosecution.

As of September the FGR received 10 complaints against judges. The Supreme Court had not dismissed any judges as of October. The FGR investigated one complaint against a prosecutor for misconduct. There were no reports of convictions as of September.

On July 29, the FGR arrested three judges on bribery charges after wiretaps on their staff's telephone calls revealed discussions with alleged drug traffickers seeking to avoid prosecution or arrange for a reduced sentence. On July 31, the Supreme Court began an impeachment process against the three judges, who worked in organized crime courts. On August 12, the Supreme Court stripped Judges Jorge Gonzalez and Enrique Alberto Beltran and alternate Judge Jose Rodolfo Castillo of their immunity from prosecution so they could face criminal charges in civilian court. As of October they remained suspended.

## **Trial Procedures**

Although procedures called for juries to try certain crimes, including environmental pollution and certain misdemeanors, judges decided most cases. By law juries hear only cases the law does not assign to sentencing courts. After the jury's determination of innocence or guilt, a tribunal decides the sentence.

Defendants have the right to be present in court, 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 fair and public trial without undue delay, the right to a trial by jury, 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 confront adverse witnesses and present one's own witnesses and evidence, the right to appeal, access for defendants and their attorneys to government-held evidence relevant to their cases, and government-provided legal counsel for the indigent. Authorities did not always respect these legal rights and protections. Although a jury's verdict is final, a judge's verdict is subject to appeal. Trials are public. The law extends these rights to all citizens.

### **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 bring civil lawsuits seeking damages for, as well as cessation of, human rights violations. Domestic court orders generally were enforced.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution prohibits such actions, and the government generally respected these prohibitions in practice.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, and the government generally respected these rights. Some restrictions, however, on the freedom of speech and press occurred throughout the year. The law permits the executive branch to use the emergency broadcasting service to take over all broadcast and cable networks temporarily to televise political programming. Former president Mauricio Funes occasionally used this law to highlight his accomplishments. As of September the current administration used the emergency broadcast system twice to broadcast the presidential inauguration and Salvadoran Independence Day ceremonies.

Freedom of Speech: Individuals could criticize the government publicly or privately without reprisal, and in most cases the government did not interfere with such criticism.

Violence and Harassment: On July 16, Oscar Martinez, an organized crime and gang reporter for *El Faro* online newspaper, was detained and questioned by police. The police told Martinez they were acting under orders to question him about the source with whom he had just met. As of September 12, there were no reports of public actions in response to the formal complaint that Martinez filed with the PDDH.

Censorship or Content Restrictions: Government advertising accounted for a significant portion of press advertising income, although exact data was not publicly available. Newspaper editors and radio directors occasionally discouraged journalists from reporting on topics that the owners or publishers might not view favorably. According to the Salvadoran Association of Journalists (APES), the media practiced self-censorship, especially in its reporting on gangs and narcotics trafficking. APES stated many members of the media were afraid to report in detail on these subjects due to fear of retaliation from gangs and narcotics trafficking groups.

Nongovernmental Impact: APES noted that journalists reporting on gangs and narcotics trafficking were subject to threats and intimidation, which led to media self-censorship.

## **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. Internet access was available in public places throughout the country. The International Telecommunication Union reported that 25.5 percent of the population used the internet in 2012.

## **Academic Freedom and Cultural Events**

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

## **b. Freedom of Peaceful Assembly and Association**

The constitution provides for the freedoms of assembly and association, and the government generally respected these rights in practice.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt/](http://www.state.gov/j/drl/irf/rpt/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

#### **Protection of Refugees**

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. As of September 8, the government received five refugee petitions. Authorities approved one petition for a family of four. They denied two petitions, which failed to meet legal requirements; the petitioner withdrew another petition, and the fifth had not been adjudicated as of September 17.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution provides citizens the ability to change their government through the right to vote in free and fair elections, which they exercised through elections based on universal suffrage.

#### **Elections and Political Participation**

Recent Elections: Presidential elections were held in February (first round) and March (second round), and independent observer groups reported the elections were free and fair with few irregularities. During these elections, as in prior elections, the Nationalist Republican Alliance (ARENA) and the FMLN political

parties accused each other of fraud, including reports of voting by ineligible prisoners, gang intimidation, and double voting.

The Political Parties Law prohibits public officials from campaigning in elections. During the presidential elections, the ARENA party noted former president Mauricio Funes was illegally campaigning on behalf of FMLN candidate Salvador Sanchez Ceren. Funes cited a September 2013 executive decree that allowed government officials to campaign as long as they did not use public resources or campaign during working hours. In January, in response to a separate complaint, the CSJ issued an injunction freezing the application of the decree, and in late February the CSJ ruled the decree unconstitutional.

Civil society organizations publicly criticized the participation of Alba Petroleos, a partnership between Venezuela and the FMLN Association of Mayors (ENEPASA), in the presidential election. NGOs argued Alba Petroleos violated the Political Parties Law, which prohibits foreign funding of election campaigns.

Participation of Women and Minorities: There were 23 women in the 84-member legislative assembly, six women on the 15-member Supreme Court, and three women in the 13-member cabinet. In February 2013 the Legislative Assembly approved a law stipulating that 30 percent of all candidates in municipal, legislative, and city council elections must be women. The law was to take effect for the first time during the March 2015 municipal and legislative assembly elections. No members of the Supreme Court, the legislature, or other government entities identified themselves as members of an ethnic minority or indigenous community, and there were no political party positions or parliamentary seats designated for ethnic minorities.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. The NGO Institute for Social Democracy stated that officials, particularly in the judicial system, often engaged in corrupt practices with impunity.

Corruption: There are six offices that share responsibility for combating corruption: the Court of Accounts, an independent agency that acts as a transparency office and an accountability court; the Sub-Secretariat for Transparency and Anticorruption, an executive branch agency that implements the

e-government initiative; the Anticorruption Unit of the FGR, which leads crime investigations regarding corruption; the Supreme Court Probity Section, which enforces the illicit enrichment law; the Government Ethics Tribunal, an administrative court that sanctions those public officers who commit irregularities in their duties; and the Access to Public Information Institute, which enforces government transparency.

The Salvadoran Foundation for Economic and Social Development (FUSADES) maintained a website of judicial proceedings and records available to the public. As of July 4, according to FUSADES, the Supreme Court had not resolved the more than 980 complaints against justices. As of June 30, the Supreme Court had resolved 202 cases against judges, resulting in 21 sanctions, eight suspensions, and 13 pending dismissal charges. As of September 16, no judges were officially dismissed, but three judges faced criminal charges.

On September 15, Ombudsman for Human Rights David Morales filed a complaint with the CSJ alleging judicial misconduct by Judge Levis Orellana, who on September 5 authorized the placing of former president Francisco “Paco” Flores (1999-2004), who was awaiting trial on corruption charges, under house arrest rather than in a detention facility. Morales alleged Orellana’s decision to allow Flores to avoid detention did not comply with the law. Government leaders and civil society groups also criticized the decision, noting Flores had evaded detention after the original arrest order was filed on May 6. On September 17, the First Appeal Court of San Salvador revoked Orellana’s decision to grant house arrest to Flores and ordered police to place Flores in a detention center.

As of September 2, the Ethics Tribunal received 148 complaints involving 293 public officers. The tribunal resolved 132 complaints from its multi-year caseload, imposed 16 sanctions, and submitted five cases to the FGR.

In July the National Foundation for Development reported that the Legislative Assembly had spent \$1,066,278 on official travel in 2013. Civil society groups strongly criticized the Legislative Assembly for these expenses, especially in light of the significant budget constraints facing the government.

Financial Disclosure: The illicit enrichment law requires appointed and elected officials to submit their assets records to the Probity Section of the Supreme Court. The declarations are not available to the public, and the law does not establish sanctions for noncompliance.

On July 16, the Legislative Assembly amended the money laundering law to add further financial disclosure requirements. On September 2, the assembly amended the law further, to include financial reporting requirements for politically exposed persons, which the law defines as current and former high-profile public officers, their relatives, and close associates. Banks and other financial institutions must report all financial transactions by such persons that exceed \$10,000 (cash) or \$25,000 (wire transfers).

Public Access to Information: The law provides for the right of access to government information. Although the law establishes mechanisms to appeal denials of information, authorities did not effectively implement the law. The law provides a narrow list of exceptions outlining the grounds for nondisclosure, a reasonably short timeline for the relevant authority to disclose or respond, no processing fees, and administrative sanctions for noncompliance.

Some public officers refused to publish information. For example, former minister of economy Armando Flores refused to disclose financial information on Alba Petroleos to the Access to Public Information Institute. On May 19, the institute imposed a fine of \$6,060 on Flores for refusing to comply. On August 26, the Administrative Dispute Chamber of the Supreme Court issued a temporary injunction on the fine to permit a review of its imposition.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations 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. Although government officials generally were cooperative and responsive to these groups, officials at times were reluctant to discuss worker rights problems with NGOs and the PDDH. The government required domestic and international NGOs to register, and some domestic NGOs reported that the government made the registration process unnecessarily difficult.

Government Human Rights Bodies: The principal human rights investigative and monitoring body is the autonomous PDDH, whose head is nominated by the legislative assembly for a three-year term. The PDDH regularly issued reports and press releases on prominent human rights cases. The PDDH generally enjoyed government cooperation, operated without government or party interference, had adequate resources, and was considered generally effective.

The PDDH maintained a constructive dialogue with the president's office. The government publicly acknowledged receipt of PDDH reports, although in some cases it did not take action on PDDH recommendations, which are nonbinding.

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

Although the constitution and other laws provide that all persons are equal before the law and prohibit discrimination based on race, sex, gender, disability, language, sexual orientation, gender identity, or social status, the government did not effectively enforce these prohibitions. There was discrimination against women, persons with disabilities, LGBT persons, and indigenous people.

### **Women**

Rape and Domestic Violence: The law criminalizes rape, and the criminal code's definition of rape may apply to spousal rape. 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 nullify the criminal charge. Generally, the penalty for rape is six to 10 years' imprisonment, but the law provides for a maximum sentence of 20 years for raping certain classes of victims, including children and persons with disabilities.

Incidents of rape continued to be underreported for several reasons, including societal and cultural pressures on victims, fear of reprisal, ineffective and unsupportive responses by authorities toward victims, fear of publicity, and a perception among victims that cases were unlikely to be prosecuted. Laws against rape were not effectively enforced.

Rape and other sexual crimes against women were widespread. As of September 3, the FGR reported 1,793 cases of alleged sexual crimes resulting in 24 convictions. As of October 10, the ISDEMU reported 1,264 cases of alleged violence against women, including sexual abuse, physical abuse, femicide, rape, and psychological abuse. Authorities referred 105 cases to the FGR.

As of October the ISDEMU provided health and psychological assistance to 925 women who experienced sexual abuse, domestic violence, mistreatment, sexual harassment, labor harassment, commercial sexual exploitation, trafficking in persons, or alien smuggling.

The law prohibits domestic violence and generally provides for sentences 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 were not well enforced and cases were not effectively prosecuted. The law prohibits mediation in domestic violence disputes.

Violence against women, including domestic violence, was a widespread and serious problem. As of September the PNC reported 1,233 cases of alleged domestic violence. A large portion of the population considered domestic violence socially acceptable, and, as with rape, its incidence was underreported.

In October a man killed his estranged partner in front of their daughter. The victim had filed a restraining order a few days before her death. Authorities reportedly granted the restraining order but did not provide further protection to the victim. The Observatory on Violence against Women run by the Organization of Salvadoran Women for Peace (ORMUSA) reported that, in August alone, 12 women were killed by their partners.

During the year the government engaged in a campaign to support the Secretariat of Social Inclusion (SIS) in its efforts to eliminate violence against women. ISDEMU coordinated with the judicial and executive branches and civil society groups to conduct public awareness campaigns against domestic violence and sexual abuse. The PDDH, the FGR, the Supreme Court, the Public Defender's Office, and the PNC collaborated with NGOs and other organizations to combat violence against women through education, increased enforcement of the law, and programs for victims. SIS, through ISDEMU, defined policies, programs, and projects on domestic violence and continued to maintain one shared telephone hotline and two separate shelters for victims of domestic abuse and child victims of commercial sexual exploitation. The government's efforts to combat domestic violence were minimally effective.

On November 24, the Supreme Court of Justice and the Legislative Assembly signed an interinstitutional agreement to create specialized courts responsible for prosecuting violence against women and gender discrimination. The courts would be responsible for enforcing the 11 crimes defined in the Comprehensive Special Law for a Life Free of Violence, created in 2012.

Female Genital Mutilation/Cutting (FGM/C): There is no law prohibiting FGM/C. The practice was virtually nonexistent in the country.

Sexual Harassment: The law prohibits sexual harassment and provides imprisonment from three to five years if the victim is an adult and from four to eight years if the victim is a minor. Courts may impose fines to a prison term in cases where the perpetrator is in a position of authority or trust over the victim. The law also mandates that employers take measures to avoid sexual harassment, violence against women, and other workplace harassment problems. The law requires employers to create and implement preventive programs to address violence against women, sexual abuse, and other psychosocial risks. The government, however, did not enforce sexual harassment laws effectively.

Since underreporting by victims of sexual harassment appeared to be widespread, it was difficult to estimate the extent of the problem. As of August 28, the ISDEMU reported 11 cases of alleged sexual harassment and referred five cases to the FGR.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of children; to have the information and means to do so; and to have the highest standard of reproductive health, free from discrimination, coercion, and violence. According to the UN Children's Fund (UNICEF), the maternal mortality rate for 2012 was 81 per 100,000 live births.

On May 13, the PDDH ruled that the Ministry of Health violated the sexual and reproductive rights of two HIV-positive teenagers whom ministry officials forcibly sterilized. According to the HIV unit of the PDDH, national hospitals routinely forcibly sterilized persons with HIV, regardless of their age. The PDDH concluded the patients did not have a full and well-informed understanding about medical procedures, family planning, or adequate services during their pregnancies. The PDDH ordered the creation of a special committee to define the parameters of "informed consent."

Discrimination: The constitution grants women and men the same legal rights under family and property law, but women did not enjoy equal treatment. For example, women constituted only 39 percent of property owners. The law establishes sentences of one to three years in prison for public officials who deny a person's civil rights based on gender and six months to two years for employers who discriminate against women in the workplace, but employees generally did not report such violations due to fear of employer reprisals (see section 7.d.).

Although pregnancy testing as a condition for employment is illegal, some businesses allegedly required female job applicants to present pregnancy test

results, and some businesses illegally fired pregnant workers. As of September the Ministry of Labor received 68 complaints regarding the illegal firing of pregnant workers. It imposed no fines in that period.

Although the law prohibits discrimination based on gender, women suffered from cultural, economic, and societal discrimination. The law requires equal pay for equal work, but the average wage paid to women for comparable work was 57 percent of compensation paid to men. Men often received priority in job placement and promotions, and women did not receive equal treatment in traditional male-dominated sectors, such as agriculture and business. Training was generally available for women only in low- and middle-wage occupations where women already held most positions, such as teaching, nursing, apparel assembly, home industry, and small business.

## **Children**

Birth Registration: Children derive citizenship by birth within the country and from one's parents. The law requires parents to register a child within 15 days of birth or pay a \$2.86 fine. While firm statistics were unavailable, many births were not registered. Failure to register resulted in denial of school enrollment.

Education: Education is free, universal, and compulsory through the ninth grade and nominally free through high school. Rural areas frequently fell short of providing required education to all eligible students, due to a lack of resources and because rural parents often withdrew their children from school by the sixth grade to allow them to work.

Child Abuse: Child abuse was a serious and widespread problem. Incidents of rape continued to be underreported for a number of reasons, including societal and cultural pressures on victims, fear of reprisal against victims, ineffective and unsupportive responses by authorities toward victims, fear of publicity, and a perception among victims that cases were unlikely to be prosecuted.

The Salvadoran Institute for Children and Adolescents (ISNA), an autonomous government entity, defined policies, programs, and projects on child abuse; maintained a shelter for child victims of abuse and commercial sexual exploitation; and conducted a violence awareness campaign to combat child abuse. From January through June, ISNA reported sheltering 112 abused children in 11 shelters. Sixty-six children were treated for sexual abuse, 37 for physical abuse, and nine for psychological abuse. According to a 2012 World Bank report, 41 percent of the

first pregnancies of girls between the ages of 10 and 19 resulted from sexual abuse, and 12 percent of such pregnancies resulted from sexual abuse committed by a family member.

Early and Forced Marriage: The legal minimum age for marriage is 18, although the law authorizes marriage from the age of 14 if both the boy and girl have reached puberty, if the girl is pregnant, or if the couple has had a child. According to UNICEF, 5 percent of children married by age 15 and 25 percent by age 18. The UN Population Fund reported the country lacked data disaggregated by demographic, social, and economic characteristics and therefore was unable to develop appropriate policies and programs to address forced and early marriage.

Female Genital Mutilation/Cutting (FGM/C): There is no specific law that prohibits FGM/C. The practice was virtually nonexistent.

Sexual Exploitation of Children: Sexual exploitation of children remained a problem, and some girls were forced into prostitution. Child sex trafficking is prohibited by law, which prescribe penalties of four to eight years' imprisonment for trafficking crimes. An offense committed against a child is treated as an aggravating circumstance, and the penalty increases by one-third, but the government did not effectively enforce these laws.

The minimum age of consensual sex is 18. The law classifies statutory rape as sexual relations with anyone under age 18 and includes penalties of four to 13 years' imprisonment. As of August 28, the FGR reported 2,143 cases of alleged sexual abuse of minors, resulting in 34 convictions.

The law prohibits paying anyone under the age of 18 for sexual services. As of June the ISNA trafficking-in-persons shelter, which admits only girls, had 10 girls in residence who were victims of commercial sexual exploitation. SIS, through ISDEMU, continued to maintain one shared telephone hotline for child victims of commercial sexual exploitation and victims of domestic abuse. The law prohibits participating in, facilitating, or purchasing materials containing child pornography and provides for prison sentences of up to 16 years.

On August 26, the PNC arrested seven persons under trafficking charges for their role in a criminal network to recruit young girls for sexual exploitation. The network operated in malls and on social networking sites, targeting 13- to 17-year-old girls. Investigators reported the girls believed they would work as models but instead were forced into prostitution.

Displaced Children: During the year there was a significant increase in the number of children leaving the country. Polling indicated a lack of economic and educational opportunity in the country, fear of violence, and family reunification were the primary motivations for migration.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information, see [travel.state.gov/content/childabduction/english/country/el-salvador.html](http://travel.state.gov/content/childabduction/english/country/el-salvador.html).

### **Anti-Semitism**

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

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. According to CONAIPD the government did not allocate sufficient resources to enforce these prohibitions effectively, particularly in education, employment, and transportation. The government did not effectively enforce legal requirements for access to buildings, information, and communications for persons with disabilities. There were almost no access ramps or provisions for the mobility of persons with disabilities. Children with disabilities generally attended school, but at higher levels attendance was more dependent on their parents' financial resources.

CONAIPD, composed of representatives of multiple government entities, is the government agency responsible for protecting disability rights, but it lacked enforcement power.

Only 5 percent of businesses and no government agency fulfilled the legal requirement of hiring one person with disabilities for every 25 hires.

There were no reported patterns of abuse in educational or mental health facilities, although CONAIPD previously reported isolated incidents, including sexual abuse, in those facilities.

CONAIPD reported employers frequently fired persons who acquired disabilities and would not consider persons with disabilities for work for which they qualified. Some schools would not accept children with disabilities due to lack of facilities and resources. There is no formal system for filing a complaint with the government.

During the year SIS and CONAIPD conducted awareness campaigns, provided sensitivity training, promoted employment of persons with disabilities, and trained doctors and teachers about the rights of persons with disabilities.

On April 4, the president approved the National Policy for the Comprehensive Attention for Persons with Disabilities, which includes an action plan to integrate persons with disabilities fully into society.

Several public and private organizations, including the Telethon Foundation for Disabled Rehabilitation and the National Institute for Comprehensive Rehabilitation (ISRI), promoted the rights of persons with disabilities. The Rehabilitation Foundation, in cooperation with ISRI, continued to operate a treatment center for persons with disabilities. CONAIPD reported that the government provided minimal funding for ISRI.

### **Indigenous People**

In June the Legislative Assembly ratified a constitutional amendment to recognize the rights of indigenous people. The amendment recognizes the country's cultural heritage and adds that "El Salvador recognizes Indigenous Peoples and adopts policies to maintain and develop their ethnic and cultural identity, worldview, values, and spirituality." The amendment also adds that native languages are part of the national heritage and should be preserved and respected.

Although few individuals publicly identified themselves as indigenous, members of a few small indigenous communities continued to maintain traditional customs without repression or interference by the government or nonindigenous groups. The policy document, *Public Policy on the Indigenous People of El Salvador*, issued during the year and used to promote the constitutional reform, indicated

approximately 99 percent of indigenous persons lived below the poverty level, with 38.3 percent living in extreme poverty. Births of indigenous persons were less likely to be registered officially, reducing educational opportunities, since school registration requires a birth certificate.

No laws provide indigenous people rights to share in revenue from exploitation of natural resources on indigenous lands. The government did not demarcate any lands as belonging to indigenous communities. Because few possessed title to land, opportunities for bank loans and other forms of credit were extremely limited. The PDDH reported that indigenous persons faced employment and workplace discrimination.

### **Acts of Violence, Discrimination, and Other Societal Abuses Based on Sexual Orientation and Gender Identity**

Although the law prohibits discrimination on the basis of sexual orientation and gender identity, discrimination against LGBT persons was widespread, including in employment and access to health care. NGOs reported public officials, including police, engaged in violence and discrimination against LGBT persons. The LGBT community stated personnel from the PNC and FGR ridiculed them when they applied for identification cards or reported cases of violence against LGBT persons. The government responded to these abuses primarily through PDDH reports that publicized specific cases of violence and discrimination.

On February 2, the Supreme Electoral Tribunal facilitated the right of transgender persons to vote by instructing electoral employees and volunteers to allow voters to cast their ballot if their facial features, name, and signature matched their national identification cards. The electoral tribunal also accredited a group of observers from the LGBT community to oversee compliance with the guidelines by voting stations.

As of July the PDDH had investigated 16 cases of possible human rights violations committed against LGBT persons, of which eight involved alleged abuses committed by public officials, including two by municipal police officers.

A 2013 report by the UN Development Program (UNDP) and the PDDH stated that transgender women experienced violations of basic rights, including access to education, employment, health care, and justice. Only 36 of 100 transgender women cited in the UNDP study received their high school degrees, and they reported facing harassment, violence, and exclusion in schools. Only 23.9 percent

of the transgender women who suffered violence reported it to the authorities, and only one of the accused perpetrators was punished.

The human rights NGO Comcavis Trans reported that unknown perpetrators killed seven transgender women and one gay man shortly after a June 25 LGBT march. They also reported four complaints of human rights abuses of LGBT prisoners, including sexual abuse and torture.

As of May the hotline for the LGBT community had received 700 calls, with 171 reporting incidents of discrimination and the remainder requesting information. According to SIS, of the 171 callers who reported incidents, 42 percent reported verbal aggression, 39 percent physical aggression, and the remaining 19 percent reported psychological and familial aggression. The security forces were the most often reported source of aggression, at 55 percent, followed by family members at 16 percent. Transwomen reported 64 percent of all discrimination incidents recorded by the hotline.

### **HIV and AIDS Social Stigma**

Although the law prohibits discrimination on the basis of HIV/AIDS status, discrimination was widespread. Lack of public information and medical resources, fear of reprisal, fear of ostracism, and mild penalties incommensurate with the seriousness of the discrimination remained problems in confronting discrimination against persons with HIV/AIDS or in assisting persons suffering from HIV/AIDS. As of September 4, the Ministry of Labor reported one case of discrimination against an HIV-positive employee, based on the illness. As of July the PDDH reported five cases of discrimination against persons with HIV or AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides the right of most workers to form and join independent unions, to strike, and to bargain collectively. The law also prohibits antiunion discrimination, although it does not require reinstatement of workers fired for union activity. Several restrictions limit these rights. Military personnel, national police, judges, high-level public officers, and workers who are in “positions of trust” may not form or join unions. The law does not define the term “positions of trust.” The labor code does not cover public sector workers and municipal workers, whose wages and terms of employment are regulated by the civil service law.

Unions must meet complex requirements to register legally and to have the right to bargain collectively, including a minimum membership of 35 workers. If the Ministry of Labor denies a union's legal registration, the law prohibits any attempt by the union to organize for the next six months. Collective bargaining is obligatory only if the union represents the majority of workers.

The law does not recognize the right to strike for public and municipal employees or for workers in essential services, which include those services where disruption would jeopardize or endanger life, security, health, or normal conditions of existence for some or all of the population. The law does not specify which services meet this definition. The law places several other restrictions on the right to strike, including the requirement that 30 percent of all workers in an enterprise must support a strike for it to be legal, and 51 percent must support the strike before all workers are bound by the decision to strike. In addition unions may strike only to obtain or modify a collective bargaining agreement or to protect professional rights. They must also engage in negotiation, mediation, and arbitration processes before striking, although many groups often skip or go through these steps quickly. 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 them the equivalent of their basic salary for 30 days for each year of service completed, and this compensation must never be less than 15 days of basic salary. The law specifies 18 reasons for which an employer can legally suspend workers, and employers can invoke 11 of these reasons without prior administrative or judicial authorization.

The government did not effectively enforce the laws on freedom of association and the right to collective bargaining in all cases. Resources to conduct inspections were inadequate, and remedies remained ineffective. Penalties for employers who disrupt the right of a union to exist by directly or indirectly firing workers with the goal or effect of ensuring the union no longer met the minimum number of members ranged from 10 to 28 times the monthly minimum salary. Penalties for employers who interfere with the right to strike were up to \$114. Such penalties were generally not sufficient to deter violations. The ministry of labor acknowledged it lacked sufficient resources, such as vehicles, fuel, and computers, to enforce the law fully. Judicial procedures were subject to lengthy delays and appeals. According to union representatives, the government did not consistently enforce labor rights for public workers, maquila/textile workers, subcontracted

workers in the construction industry, security guards, informal sector workers, and migrant workers.

As of September 16, the Ministry of Labor imposed 3,136 fines totaling more than \$1.9 million on businesses and individuals for workplace violations. The ministry participated in mediation efforts related to 50 complaints of illegal firing. Although not required by law, the ministry continued to request that some employers rehire fired workers, basing its requests on International Labor Organization (ILO) Administrative Court rulings. The ministry did not perform inspections in the informal sector. The ministry does not have jurisdiction over public employees, most of whom are under the civil service law. Public institutions employed some employees not covered by the civil service under “temporary” contracts despite being employed for as long as 10 years, a practice that allowed the government to dismiss these employees without providing severance pay.

Workers faced challenges in exercising their rights to freedom of association and collective bargaining, including, according to allegations by some unions, government influence on union activities and antiunion discrimination on the part of employers. Unions were independent of the government and political parties, although many generally were aligned with the ARENA, FMLN, or other political parties.

There were reports of antiunion discrimination, including threats against labor union members, dismissals of workers attempting to unionize, and blacklisting. Workers at times engaged in strikes regardless of whether they met the 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. Resources to conduct inspections were inadequate. The labor code allows penalties for violations ranging from \$23 to \$1,143, but in practice, the Ministry of Labor issued fines for “light” infractions up to \$57 per infraction. For serious infractions, they fined employers up to 28 times the minimum monthly wage, which was generally not sufficient to deter violations. The lack of sufficient resources for inspectors, such as vehicles, fuel, and computers, reduced their ability to enforce the law fully.

There were reports of forced labor by men, women, and children in agriculture, domestic servitude, and the informal sector (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the employment of children under age 14. The law allows children between the ages of 14 and 18 to engage in light work if the work does not damage the child's health or development, or interfere with compulsory education. The law prohibits children under age 16 from working more than six hours per day and 34 hours per week; those under age 18 are prohibited from working at night or in occupations considered hazardous. The Ministry of Labor maintains a list of the types of work considered hazardous and prohibited for children, which include repairing heavy machinery; mining; handling weapons; fishing and harvesting mollusks; and working at heights above five feet while doing construction, erecting antennas, and working on billboards. Children age 16 and older may engage in light work on coffee and sugar plantations and in the fishing industry, so long as it does not harm their health or interfere with their education.

The Ministry of Labor is responsible for enforcing child labor laws but did so with limited effectiveness. The law specifies a default fine of no more than \$57 per each violation of most labor laws, including child labor laws; such penalties were insufficient to act as a deterrent. The ministry's labor inspectors focused almost exclusively on the formal sector. As of September 16, the ministry reported that it encountered five minors working without work permits and two minors working with a special work permit. There was no information on any investigations or prosecutions by the government. The ministry lacked adequate resources for effective enforcement of child labor laws in the agricultural sector, especially in coffee and sugarcane production, or in the large informal sector.

During the year the Ministry of Labor conducted two campaigns to raise awareness about child labor. One campaign, supported by the European Union and CARE International, sought to strengthen government enforcement of labor law and educate the public, specifically youth, on the hazards of child labor and the right to an education. The government continued to participate in an ILO project to provide educational opportunities to children while offering livelihood alternatives for their families. Through the project the Ministry of Education promoted child labor awareness and encouraged school attendance, including operating after-

school programs in 2,000 schools during the year. The Ministry of Governance and the Ministry of Agriculture also conducted awareness campaigns on child labor. The government also continued to include material on combating child labor in its elementary school curriculum.

Child labor remained a serious and widespread problem. According to the 2013 Permanent Household Survey, published in 2014, there were approximately 144,168 child workers. There were 75,164 minors working in the agriculture sector, 39,588 minors working in the commerce and service industries, 12,109 in manufacturing, and 5,510 in domestic service. The worst forms of child labor occurred in coffee and sugarcane cultivation, fishing, mollusk shucking, and fireworks production. There were reports of children engaged in garbage scavenging. In order to survive, orphans and children from poor families frequently worked as street vendors and general laborers in small businesses. Children also worked as domestic servants and endured long work hours and abuse by employers. Children were subjected to commercial sexual exploitation (see section 6, Children) and were recruited into illegal gangs to perform illicit activities related to the arms and drug trades, including homicide.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment or Occupation**

The constitution and regulations prohibit discrimination regarding race, sex, gender, disability, language, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. Sexual orientation and/or gender identity are not included in the constitution, although the PDDH and Ministry of Labor actively sought to protect such rights.

Discrimination in employment and occupation occurred with respect to gender, disability, and sexual orientation and/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 enforce these rights.

#### **e. Acceptable Conditions of Work**

There is no national minimum wage; the minimum wage is determined by sector. The minimum monthly wage was \$242.40 for retail and service employees, \$237

for industrial laborers, and \$202.80 for apparel assembly workers. The agricultural minimum wage was \$113.70 per month, although pay for some agricultural workers, including coffee and sugar workers, was based on the amount harvested rather than a daily wage. The government reported that the poverty income level was \$179.67 per month in urban areas and \$126.97 in rural areas.

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 if a bonus is paid. 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. The law states that domestic employees are obligated to work on holidays if their employer makes this request, but they are entitled to double pay in these instances.

The Ministry of Labor is responsible for setting workplace safety standards, and the law establishes a tripartite committee to review the standards. The law requires all employers to take steps to ensure that the health and safety of employees are not at risk in the workplace. To provide for the health and safety of workers, the law requires employers to take preventive safety measures, including proper equipment and training, and a violence-free environment. Employers who violate most labor laws can receive a default fine of no more than \$57 per each violation. For serious infractions they fined employers up to the amount equivalent to 28 minimum monthly wage salaries. These penalties were insufficient to deter violations, and some companies reportedly found it more cost effective to pay the fines rather than comply with the law. The law promotes occupational safety awareness, training, and worker participation in occupational health and safety matters.

The Ministry of Labor is responsible for enforcing the law. The government effectively enforced the minimum wage law in the formal sector but not in the informal sector, and unions reported that the ministry also failed to enforce the law for subcontracted workers hired for public reconstruction contracts. There were 128 labor inspectors. The government provided its inspectors updated training in both occupational safety and labor standards. The ministry conducted 3,889 inspections. Allegations of corruption among labor inspectors continued.

The ministry received complaints regarding failure to pay overtime, minimum wage violations, unpaid salaries, as well as cases of employers illegally withholding benefits (including social security and pension funds) from workers.

As of November 4, the FGR investigated 681 cases alleging illegal withholding of benefits and prosecuted 89 cases.

There were reports of overtime and wage violations in several sectors. According to the ministry, employers in the agriculture sector did not grant annual bonuses, vacation days, or days of rest. Women in domestic service and the maquila industry, particularly in the export processing zones, faced exploitation, mistreatment, verbal abuse, threats, sexual harassment, and generally poor work conditions. Workers in the construction industry and domestic service were reportedly subject to violations of wage, hour, and safety laws. There were also reports of occupational safety and health violations in other sectors.

In some cases the country's high crime rate negatively affected 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. According to the ILO, 65.7 percent of the economically active population worked in the informal economy in 2013.

As of September 10, the Ministry of Labor reported 4,356 workplace accidents. The sectors registering the highest level of incidents were the following: 1,386 accidents in the industrial manufacturing sector, 758 in real estate and construction-related businesses, 551 among mechanics and in home repair, and 362 in the health and social services sectors. Fifteen persons died from workplace-related accidents.

Workers can remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.