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Draft report of the Working Group on the Universal Periodic Review*

El Salvador

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twentieth session from 27 October to 7 November 2014. The review of El Salvador was held at the 2nd meeting on 27 October 2014. The delegation of El Salvador was headed by Mr. Carlos Alfredo Castaneda, Vice-Minister for Foreign Affairs. At its 10th meeting held on 31st October 2014, the Working Group adopted the report on El Salvador.
2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of El Salvador: China, Ethiopia and the Bolivarian Republic of Venezuela.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of El Salvador:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/20/SLV/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/20/SLV/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/20/SLV/3).
4. A list of questions prepared in advance by Czech Republic, Germany, Liechtenstein, Mexico, Netherlands, Norway, Slovenia, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland was transmitted to El Salvador through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation stated that the preparation of the oral presentation was the result of consultations between different Government's institutions, under the coordination of the Ministry for Foreign Affairs.
6. This second review allowed El Salvador to take stock of progress made in human rights since its first Universal Periodic Review (UPR) in 2010. The recommendations received and the voluntary pledges put forward on that opportunity shaped some objectives established by the Government which had contributed to the reconstruction of democracy.
7. The progress identified did not prevent the Government to acknowledge that El Salvador was a country facing several challenges that needed to be overcome before it attains the full enjoyment of the rights of its people, in compliance with El Salvador's human rights obligations.
8. The Government had a firm commitment to work for the strengthening and protection of human rights as part of a State's policy and as a cornerstone of its foreign policy. The new Administration was inaugurated on June 1st, after the Salvadoran people expressed its will through a democratic exercise. The new Government was working on the validation of its Five Year Development Plan, as the main guiding public policy tool. As

part of the validation of the Plan, the Government had launched a broad public consultation process, which included the Salvadoran community abroad.

9. The institutional focus of the Government of President Salvador Sanchez Ceren was the strengthening of the structural achievements of recent years, that had improved the living conditions of sectors that were excluded and impoverished for decades.

10. El Salvador committed during its first UPR to ratify several international instruments. In this regard, the delegation noted that in 2011 El Salvador ratified the Optional Protocol to the Covenant on Economic, Social and Cultural Rights and, in early 2014, it also ratified the Second Optional Protocol to the Covenant on Civil and Political Rights aimed at the abolition of the death penalty. Also, the Legislative Assembly was in the process of considering the ratification of the Convention for the Protection of All Persons from Enforced Disappearance, the Convention relating to the Status of Stateless Persons and the Rome Statute of the International Criminal Court.

11. The Executive had also engaged in inter-agency consultations regarding the possible ratification of other instruments, including the Optional Protocol to the Convention against Torture. In this context, the Government had submitted for consideration for the consideration of the Legislative Assembly a draft piece of legislation to lift El Salvador's reservation to the Convention against Torture. Also, the definition of torture was amended in 2011 to make this crime imprescriptible and include all acts of torture as defined by the Convention.

12. Internal consultations were under way as well to consider the possibility of becoming a party to the Optional Protocol to the Convention on the Rights of the Child establishing a communications procedure; the Convention on the fight against discrimination in the spheres of education; ILO Conventions 169, 189, 97 and 143; the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity; the Protocol to the American Convention on the Abolition of the Death Penalty and the Inter-American Convention against all forms of discrimination and intolerance.

13. At the domestic level, there have been some developments in the construction of a legal framework that extends the recognition of rights of particularly vulnerable population and the Government had established some institutions and mechanisms to monitor human rights.

14. For instance, in June 2014, the Legislative Assembly ratified the amendment to Article 63 of the Constitution to add a clause recognizing Indigenous Peoples, for whom, in that framework, policies which respect and develop their identity, worldview, values and spirituality will be set up.

15. Also, after extensive consultations with organizations of persons with disabilities, the National Policy on Comprehensive Care for Persons with Disabilities was adopted in April 2014 and the Legislative Assembly was debating the possible lifting of El Salvador's reservation to the Convention on the Rights of Persons with Disabilities. Furthermore, the Sign Language has been recognized as an official language.

16. In relation to older people, the Government had carried out a consultation process to substantially revise the Act on Older People, under a human rights approach. This reform would soon be introduced in the Legislative Assembly. The delegation added that El Salvador was as strong supporter of the negotiations for a regional and an international instrument for the Protection of the Rights of Older People.

17. The fight against poverty and social exclusion were priorities for the Administration. Since 2009 the Government established various programs and measures that were part of the Universal Social Protection System. In this regard, Congress adopted, in April 2014, the

Law on Social Protection and Development which established the right to receive a minimum of social public services to be provided to all the population.

18. From 2010, El Salvador launched a reform of the National Health System based on Community Family Health Teams which guaranteed the right to health using a strategy of providing comprehensive primary health care, and which directly worked with families and communities. The Government had also worked to raise awareness of the importance of vaccinating children and the whole family.

19. In March 2012, Congress passed a law on Medicines, aimed at ensuring the availability, registration, quality and safety of medicines, promoting fair prices for medicines and their rational use as well.

20. The delegation pointed out that, in regard maternal mortality, El Salvador had already reached the Millennium Development Goal related to the reduction of maternal mortality.

21. In relation to people with HIV/AIDS, there was a proposed law for a Comprehensive Response to the HIV-AIDS, which intends to establish an approach that goes beyond the consideration of this epidemic as a problem of health and contribute to the elimination of discrimination and stigmatization.

22. On the other hand, El Salvador was committed to protecting the rights of Salvadorans who had migrated. In this sense the delegation considered as a great achievement the adoption, in 2011, of the "Special Law for the Protection and Development of the Salvadoran migrant persons and their families." Also, in this context, the Government had strengthened, as a priority, the consular network since 2009. The delegation informed the Working Group that, more importantly, during the 2014 elections Salvadorans abroad were able to vote for the first time.

23. The delegation pointed out that, in June 2014, the migration flow of unaccompanied children and adolescents toward the United States dramatically increased because false expectations generated by human traffickers, the longing for family reunification, lack of opportunities and insecurity. was rated internationally as a humanitarian crisis.

24. El Salvador had sought to coordinate efforts to cope with this international humanitarian crisis with the countries of the northern triangle of Central America. And in July 2014 the Government launched an awareness campaign and information about the risks that unaccompanied children faced when performing such a dangerous journey, under the slogan "Do not put their lives at risk." The campaign materials were being distributed and discussed in all schools in the country.

25. The Administration had also signed the "Special Declaration on the Situation of Central American unaccompanied migrant Boys, Girls and Adolescents to the United States". And, within the framework of the Organization of American States, El Salvador sponsored along with Guatemala and Honduras the adoption of the declaration "the Central-American unaccompanied migrant children."

26. Public security and peaceful coexistence required the joint efforts of the whole government along with the participation of different actors and sectors of society. For this purpose, the Administration established, in September 2014, the National Council for Citizen Security and Coexistence, composed by local governments, the business sector, people with experience in the field, political parties, media and the church in order to promote dialogue and agreements that would develop into sustainable public policies on this issue.

27. The delegation mentioned that, among the measures to address the security challenges, El Salvador was a party of the Central American Security Strategy (ESCA), an

instrument that, from a comprehensive perspective guided the coordinated actions on security adopted by the eight countries in the region.

28. El Salvador had also focused its efforts in fighting crime, fighting corruption and promoting transparency. Thus, the adoption of the Law on Access to Public Information, a Special Law for Intervention Telecommunications, a Law against Money and Assets Laundering, a Special Law on Forfeiture and Administration of the Goods of Illicit Origin or Destination and a Government Ethics Law.

29. In addition to this important legislation, the Administration had sponsored the development of technological tools such as the Portal on Transparency and Open Government, and the adoption of public policies and mechanisms of social control, accountability of public institutions and citizen's participation.

30. The fight against trafficking had also been a priority for El Salvador. The National Council against Trafficking was the responsible body for the formulation of policies and the establishment of the political and strategic long-term framework for a comprehensive approach against trafficking. El Salvador announced with satisfaction that it had already adopted a Special Law against Trafficking in Persons.

31. Fighting crime was associated with another problem faced by El Salvador: prison overcrowding. On this issue, the Government had already received a number of recommendations from the Rapporteur on Persons Deprived of Liberty of the Organization of American States and from the Working Group on Arbitrary Detention of the United Nations, after their respective visits in 2010 and 2012. Also, the Legislative Assembly was considering the draft law that would allow the use of alternative technologies to ensure surveillance and attendance of persons charged in a judicial process.

32. In conclusion, the delegation recalled that El Salvador was elected to integrate the Human Rights Council for the first time in its history, which, it added, was an acknowledgment of the progress and achievements of the country in recent years. El Salvador was committed to the strengthening of the International System of Human Rights and in particular, the full consolidation of the Human Rights Council. El Salvador was extremely grateful for the trust it received during the elections to the Human Rights Council.

B. Interactive dialogue and responses by the State under review

33. During the interactive dialogue, 59 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

34. The Bolivarian Republic of Venezuela noted the significant progress made since the 1992 Peace Agreements. It commended efforts to provide for the country's poorest families, and for persons with a disability; combat gender-based violence; and educate the population and law-enforcement officers in human rights. It made recommendations.

35. Algeria noted that El Salvador has put in place a constitutional legislative framework that made human rights one of the main guiding principles of the State action. It welcomed the efforts in promoting the enjoyment of human rights especially economic, social and cultural rights, and in providing assistance to victims of the internal armed conflict. Algeria made recommendations.

36. Angola highlighted El Salvador's results promoting and protecting human rights of women, children and the right to health, and the issuing of a standing invitation to Special Procedures. It was concerned by the low level of school enrolment of disabled children and indigenous children. Angola made a recommendation.

37. Argentina welcomed the ratification of OP-ICESCR and noted that ICPPED was under review with a view to ratification. It noted the enactment of domestic legislation on eliminating discrimination and preventing violence against women. Argentina made recommendations.
38. Australia congratulated El Salvador on its recent presidential elections and the introduction of voting for Salvadoran citizens abroad. It also welcomed El Salvador's moves to address violence against women. Australia expressed concern on punitive anti-abortion laws, and that UNICEF rated El Salvador as having among the highest incidences of homicide of children. Australia made recommendations.
39. Bangladesh noted the adoption of the 2011 Act on equality, fairness and elimination of discrimination against women, and the reform of the Political Parties Act. It encouraged El Salvador's measures on family. It highlighted that treaty bodies had raised concerns about discrimination against women and socio-economic disparities, particularly for migrants. Bangladesh made recommendations.
40. The Plurinational State of Bolivia commended constitutional changes to recognize the indigenous peoples and policies to develop their cultural identity. It encouraged further strengthening of human rights institutions, standards and public policies. It made recommendations.
41. Brazil noted the ratification of international human rights instruments, and adoption of a national child protection policy. Noting ongoing challenges, it commended progress to protect women's rights, including providing assistance to victims of violence, and reproductive and sexual advice. Further measures should be taken to protect LGBTI persons. Brazil made recommendations.
42. Canada welcomed steps taken by El Salvador to address violence against women. It also welcomed efforts to improve the implementation of national programmes aimed at fostering children's rights. However, it stressed the importance to take measures to improve protection of children against violence. Canada made recommendations.
43. Chile recognized efforts to strengthen human rights within a complex context. It noted the child protection law and the Political Parties Act, which would promote the political participation of women. Cultural models discriminating against women should be eliminated, promoting access to judicial protection and combating impunity. Chile made recommendations.
44. Colombia noted El Salvador's efforts to implement recommendations of the first UPR. It noted the country's transparency in collaborating with human rights mechanisms. Colombia made recommendations.
45. Costa Rica commended human rights improvements, particularly on women rights and health sector. It expressed concern regarding violence, particularly against women and children, as a cause of migration, and the collapse of the prison system. Efforts to improve children's living conditions should be strengthened. It made recommendations.
46. Côte d'Ivoire noted the efforts carried out by El Salvador in implementing recommendations as a result of the first UPR cycle. It was especially pleased with the measures taken to combat discrimination of vulnerable persons and ensure equality in different areas. Cote d'Ivoire made recommendations.
47. Cuba noted progress in promoting and protecting human rights. It commended steps to combat discrimination and improve judicial administration and public security; thereby combating crime and corruption. It noted progress in the area of health. Cuba made recommendations.

48. The Czech Republic expressed its appreciation for the details on human rights in El Salvador. It also welcomed steps towards eventual ratification of the OP-CAT. It made recommendations.

49. The Democratic People's Republic of Korea noted achievements in the protection and promotion of human rights and encouraged further progress in that regard. It took note of El Salvador's election to the HRC. It made recommendations.

50. Ecuador recognized the ratification of OP-ICESCR and the Government Programme 2014-2019, which would ensure that human rights are used to guide the government. It acknowledged public policies on equality, food and nutritional security, health, environment and education. Ecuador made recommendations.

51. Egypt commended El Salvador's positive promotion of human rights, and its accession to international conventions and consultations with national agencies and civil society on the possible ratification of other instruments. It requested additional information on El Salvador's experience in integrating street children into Salvadoran society. Egypt made recommendations.

52. Estonia commended the ratification of ICCPR-OP2 and standing invitation to Special Procedures, and urged compliance with Treaty Bodies' requests. Recognizing commitments to free speech, Estonia encouraged further protection for media workers. It called for action to prevent violence against women and LGBTI persons, and amendment of abortion legislation. Estonia made recommendations.

53. The United States of America noted that insecurity, lack of economic opportunity and weak governance cause significant population displacement. It recognized progress in combating impunity, but noted low conviction rates and corruption. A lack of respect for the separation of powers and prison conditions were causes for concern. It made recommendations.

54. Germany welcomed progress on child labour and encouraged the adoption of a national plan on that regard. Although the national reconciliation process had advanced, the human rights situation remained a concern as reflected by the high rate of child homicide and the inhumane prison conditions. Germany made recommendations.

55. Ghana applauded the bill to tackle discrimination against persons living with HIV and to recognize that the issue was linked to the country's development. It reiterated concerns raised by CRC regarding violence against children, child labour and the possible recruitment of children into gangs. Ghana made recommendations.

56. Greece recognized El Salvador's investment in policies and social programmes. It highlighted that challenges prevailed, especially regarding education. Greece expressed concern regarding the still not achieved demilitarization of public security institutions, especially the police force. It requested information on the ratification of the Rome Statute on the ICC. Greece made recommendations.

57. Guatemala welcomed El Salvador's election to the HRC; the ratification of OP-ICESCR; and Constitutional reform to recognize indigenous peoples. It valued the adoption of legislation on migrants' rights, gender equality and voting rights for Salvadorans abroad. It noted the lack of a specific definition of discrimination.

58. The Holy See commended efforts to promote and protect human rights and noted the determination to protect migrants' rights and aid their integration, which was particularly important for women and unaccompanied minors. The initiative to secure proper birth registration was a positive defence of human life. It made recommendations.

59. Iceland expressed concern at the prohibition and criminalization of abortion, even in life-threatening cases or cases of rape. The prevalence of gender-based violence was also a

cause for concern and El Salvador was encouraged to ensure the effective implementation of legislation to protect women. Iceland made recommendations.

60. Indonesia welcomed the measures taken by El Salvador to promote human rights, including the adoption of legislation aimed at protecting women from violence and discrimination, and the adoption of the Special Act on the Protection and Advancement of Salvadoran Migrants and Their Families. Indonesia made recommendations.

61. Ireland commended legislation to combat gender-based violence, yet noted a lack of resources for its implementation. It noted high levels of gender-based violence, including on the basis of sexual orientation or gender identity. Impunity for human rights violations remained a concern. Ireland made recommendations.

62. Italy congratulated El Salvador on the achievement of the MDG on maternal mortality ahead of schedule. It appreciated the measures taken by the authorities to improve the enjoyment of the rights of the child, in particular the setting of the minimum age for marriage at 18. Italy made recommendations.

63. Kuwait welcomed achievements in the fields of employment, social security and living standards. It commended steps to assist new ventures by coordinating activities between the Ministry of Economy and the National Commission on Micro-Enterprises and Small Businesses. Kuwait made recommendations.

64. Lebanon welcomed measures to promote and protect political, social and economic rights, notably amendments to article 63 of the Constitution, which recognized indigenous peoples, and the establishment of the National Council on Trafficking in Persons. The efforts taken with regard to OP-CAT were welcomed. Lebanon made a recommendation.

65. Luxembourg noted its partnership with El Salvador. It welcomed the ratification of ICCPR-OP2 and encouraging results in combating maternal mortality. Gender-based violence remained a cause for concern, since the measures introduced had scarcely reduced it. The criminalization of abortion remained another area of concern. Luxembourg made recommendations.

66. Malaysia welcomed legislative measures on gender-based violence, child protection and social development, and achievements in healthcare, public safety and the rights of children with disabilities. Legal instruments to combat crime and corruption, and the development of the Universal Social Protection System were also noted. Malaysia made recommendations.

67. Paraguay welcomed ratification of international instruments, including ICCPR-OP2, and commended the definition of femicide, measures to protect victims of violence, promote gender equality and eradicate discrimination against women. It applauded constitutional reform towards the recognition of indigenous peoples. It encouraged El Salvador to continue developing its Intercultural Health Policy. Paraguay made recommendations.

68. Montenegro recognized the improved human rights framework, the standing invitation to special procedures and ratification of OP-ICESCR. The reservation to ICCPR-OP2 permitting capital punishment under military law was a concern. It asked what measures had been developed to prevent the torture and ill-treatment of children and protect them from violence. Montenegro made recommendations.

69. Morocco welcomed the ratification of OP-ICESCR and ICCPR-OP2, recognition of indigenous peoples, national efforts on trafficking in persons, protection of the rights of members of civil society organizations, the National Commission on the Search for Children who Disappeared during the Internal Armed Conflict and the strengthened institutional framework, particularly regarding women's rights.

70. The Netherlands welcomed the standing invitation to Special Procedures and the act to promote women's rights. While expressing hope that the SICA project on gender-based violence would make improvements, it noted continuing discrimination against women and expressed concern regarding the situation of human rights defenders. The Netherlands made recommendations.

71. Nicaragua noted government initiatives to meet social needs, including health, education, and judicial administration, and to combat gender-based violence and human trafficking. While challenges remained, it hoped that membership of the HRC would provide an opportunity for El Salvador to share best practice and meet its obligations. Nicaragua made recommendations.

72. Norway congratulated El Salvador on its accession to ICCPR-OP2 and welcomed its apology and reparatory measures for the events at the Massacres of El Mozote. It expressed concern regarding impunity for violence against women and children, and the total ban on abortion. Norway made recommendations.

73. Spain noted ratification of ICCPR-OP2. It expressed concern regarding gender inequality and discrimination against women and children. It welcomed the adoption of the law against gender-based violence, which defined femicide; and the child protection law. It commended initiatives to improve the situation of LGBTI persons. Spain made recommendations.

74. Peru commended the establishment of the National Council on Trafficking in Persons, the related National Policy and political and strategic framework; adoption of the Act on Social Development and Protection; and the implementation of the vote for Salvadorans living abroad. Peru made recommendations.

75. The Philippines welcomed the alignment of domestic legislation with international human rights laws, noting the value of international cooperation for human rights education in improving human rights mechanisms. It commended El Salvador's efforts to improve socio-economic rights and its anti-trafficking measures, and requested details on their effectiveness, particularly concerning trafficking in children. It made recommendations.

76. Poland welcomed the introduction of the legislation referring to the protection of children and adolescents while raising concern about the proper implementation of the current legislation namely the Child and Adolescent Protection Act of 2009. It noted that despite efforts made in combating child labour, progress was still needed. Poland made recommendations.

77. Portugal welcomed the standing invitation to Special Procedures, ratification of ICCPR-OP2 and OP-ICESCR, and the A Status of the National Human Rights Institution. It expressed concern about gender imbalance in education and requested information on measures taken. It welcomed steps to ratify the Rome Statute of the ICC. Portugal made recommendations.

78. The Republic of Korea acknowledged the progress made by El Salvador, in particular regarding the standing invitation to Special Procedures, its National Commission on the Search for Children who Disappeared during the Internal Armed Conflict and the successful implementation of the Women's City Programme. It made recommendations.

79. The Russian Federation noted the progress in human rights protection, improvement in legislation, and extended social guarantees. It welcomed efforts to combat gender-based and domestic violence, legislation to provide public access to databases of the executive branch and efforts to protect the rights of Salvadoran migrants, particularly unaccompanied minors in the United States. It made recommendations.

80. Singapore welcomed the amendments to the Criminal Code to enhance protection of women and children from domestic violence. It noted positively the creation of the Special Technical Commission to oversee the implementation of the relevant laws and policies. Singapore praised the 2011 Ministerial Decision that listed the hazardous activities not to be carried by children and adolescents. It made recommendations.

81. Slovenia inquired about the concrete results coming from the implementation of the comprehensive policy to combat violence against women. It requested information on the adoption of measures to eliminate discrimination against disabled persons particularly with regard to medical procedures where an informed consent of persons with disabilities is needed. Slovenia made recommendations.

82. Mexico welcomed efforts to sign and ratify international instruments, particularly the study of the Rome Statute of the ICC and steps to withdraw the reservation to the CAT, allowing adherence to OP-CAT. It welcomed El Salvador's standing invitation to Special Procedures, and progress made in indigenous peoples' rights. Mexico made recommendations.

83. Sri Lanka noted initiatives to combat social exclusion and recognize health rights. It commended the promotion of children's rights and strategies to prevent violence against young people. It recognized efforts regarding women's rights and noted measures to prevent gender-based violence in schools. Sri Lanka made recommendations.

84. The State of Palestine welcomed the establishment of a national legal framework to promote gender equality, eliminate gender-based discrimination and combat violence against women; but expressed concerns regarding continuing discriminatory stereotypes of women's roles. It commended measures to protect children's rights. It made recommendations.

85. Sweden noted the view of the UN Special Rapporteur on Violence against Women that El Salvador's ban on abortion posed risks to women and girls. It observed that the constitutional chamber of the Supreme Court had failed to rule on the constitutionality of the national reconciliation law. Sweden made recommendations.

86. Thailand commended efforts to ratify international human rights instruments and commitments to women's and children's rights, noting that those groups continued to be targets of violence. It noted education's positive role in preventing young people from joining criminal groups and offered assistance with health coverage matters. Thailand made recommendations.

87. Trinidad and Tobago recognized the challenges facing El Salvador in implementing its human rights programmes and meeting its obligations. It commended constitutional reform measures regarding the rights of indigenous persons, and legislation to combat violence and discrimination against women and children. It made recommendations.

88. Turkey welcomed the act to protect women's rights, introduction of a centralized birth registration system and national health system reform. It expressed concerns regarding violence against women, and the alleged torture and murder of children. It encouraged efforts to combat poverty, including through its Universal Social Protection System. Turkey made recommendations.

89. The United Kingdom of Great Britain and Northern Ireland applauded ratification of ICCPR-OP2 and requested that the reservation thereto be withdrawn. It welcomed progress on health, children's and women's rights and encouraged consistent implementation of national and international legislation. It suggested improving treatment of women who had had abortions or miscarriages and ensuring protection of human rights abuse records. It made recommendations.

90. France congratulated El Salvador on its election to the Human Rights Council. It asked what new measures would be taken to combat violence against women, which remained a serious problem; and asked whether El Salvador would consider reviewing the criminalization of abortion, which it encouraged. France made recommendations.

91. Uruguay welcomed the ratification of ICCPR-OP2 and legislative progress made on human rights, including discrimination based on gender or sexuality, and poverty reduction. Efforts to combat children's rights should be strengthened. It commended steps to eradicate gender-based violence and protect victims, including by defining femicide. Uruguay made recommendations.

92. Sierra Leone commended the 2014 ratification of the ICCPR-OP2. Noting the efforts undertaken to promote the rights of the child, Sierra Leone encouraged further measures and programmes to limit worst forms of child labour and reduce the incidence of children joining street gangs. It made recommendations.

93. The delegation of El Salvador stated that, in 2009, the Legislative Assembly adopted the Law on Comprehensive Protection of Children and Adolescents. It also created a new system to protect children and adolescents, led by the National Council for Childhood and Adolescence, which also included a specialized justice chamber to protect children. There were however remaining challenges to better protect children to the extent that such specialized system is progressively implemented and the population makes use of it.

94. While it was important to continue making improvements, progress had been achieved in the education sector. Early childhood was a Government's priority. As school attendance was linked to food and children social conditions, programs ensuring food, clothing and school supplies had been implemented.

95. Protection boards ensured access to justice for children and adolescents as they could bring complaints directly on violations of their human rights.

96. Corporal punishment was expressly prohibited in the above-mentioned Law (articles 38 and 89).

97. There were on-going policies and strategies on sexual and reproductive health in coordination with the Ministries of Education and Health.

98. Children and adolescents had actively participated in the development of policies affecting them and they were currently involved in developing a five year plan.

99. El Salvador was committed to the rights of LGBTI people. Executive Decree 56 prohibited discrimination based on sexual orientation or gender identity. Several measures had been implemented to ensure access to work without discrimination, education on non-discrimination, and the safety of LGBTI people.

100. Executive Decree 204 established the National Council of Reparation for Victims of human rights violations within the armed conflict context. Progress was being made on reparation in the field of health, education and historical memory.

101. The strategy *Ciudad Mujer* ensured the full access of women to knowledge and exercise of their rights, especially those related to a life free from violence and non-discrimination.

102. In concluding, the delegation acknowledged the UPR second cycle as an opportunity to share achievements on human rights. The recommendations received would contribute to the protection and promotion of human rights, and would be considered at the moment of defining the country's priorities.

II. Conclusions and/or recommendations**

103. The recommendations formulated during the interactive dialogue/listed below [have been examined by El Salvador and enjoy the support of El Salvador:

103.1 Continue the process of ratification of international instruments, especially in the area of human rights (Cote d'Ivoire);

103.2. Facilitate the completion of existing initiatives to ratify the international instruments listed in paragraph 7 of its National Report (Peru);

103.3. Step up efforts leading to the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance; the Rome Statute of the International Criminal Court; the Optional Protocol to the Convention against Torture; and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Ghana);

103.4. Ensure the protection of the Office of Human Rights Advocate from any interference or external pressure (Portugal);

103.5. Submit its report that has been overdue since 2013 to the Committee against Torture (Ghana);

103.6. Take additional steps to combat crime, especially committed by young people and carry out strategies to protect them (Russian Federation);

103.7. Reduce citizen insecurity in a sustainable, long-term perspective, addressing the root causes of violence and combating impunity while respecting human rights (Sweden);

103.8. Take measures to further improve enforcement of existing laws criminalizing rape and domestic violence, including by thoroughly investigating and prosecuting all acts of violence against women, and providing targeted training and capacity building to law enforcement officials (Canada);

103.9. Adopt measures guaranteeing the protection of women, who are victims of discrimination and violence on the grounds of their sexual orientation or gender condition (Argentina);

103.10. Ensure that all cases of gender-based violence are properly investigated, the perpetrators are brought to justice and that its victims have better access to justice, health and social services and State support (Czech Republic);

103.11. Continue and promote the policy of women protection and empowerment, through, inter alia, applying harsher punishments on perpetrators of the crime of femicide (Egypt);

103.12. End the prevailing climate of impunity regarding violence against women, by ensuring that such cases are investigated thoroughly, that those responsible are brought to justice and that survivors have access to justice, effective remedies and appropriate support services (Spain);

- 103.13. **Adopt a National Action Plan on Security Council Resolution on Women Peace and Security (1325) (Portugal);**
- 103.14. **Adopt a national plan to protect women against violence (Russian Federation);**
- 103.15. **Continue its efforts to take more concrete measures to ensure the protection of women against all forms of discrimination and violence (State of Palestine);**
- 103.16. **Put in place more concrete measures to combat violence against women and children (Thailand);**
- 103.17. **Continue efforts to improve the situation of women and to combat violence against women (France);**
- 103.18. **Improve detention conditions of minor offenders, including better protection against institutional violence, and promote access to education and rehabilitation programs, to ensure future reintegration in society and full respect of their rights (Canada);**
- 103.19. **Continue its efforts to prevent children from being subjected to torture and ill-treatment in all circumstances (State of Palestine);**
- 103.20. **Genuinely articulate the LEPINA providing it with the necessary human and financial resources for its effective implementation at all levels of Government (Spain);**
- 103.21. **Establish effective measures to implement the Law on the Comprehensive Protection of Children and Adolescents so as to eradicate violence suffered by children, girls and adolescents (Costa Rica);**
- 103.22. **Establish indicators to assess and follow up the effective implementation of the National Policy on Protection of Children and Adolescents (2013-2023), adopt education policies to prevent dropouts at all levels and reintegrate deported children (Mexico);**
- 103.23. **Put further effort and attention into the prevention of violence against children, expressly prohibit corporal punishment by law in all settings, eliminate worst forms of child labour, and prevent children from living in the street (Estonia);**
- 103.24. **Develop a comprehensive policy to prevent violence against children, including all necessary measures to prevent children from being subject to torture and ill-treatment, to living and working in the streets as well as being subjects to threats and forced recruitment by gangs. (Germany);**
- 103.25. **Intensify efforts to eliminate, to a large extent, all possible forms of violence against children and institute comprehensive policies that guarantee the rights of children including children with disabilities, irrespective of gender (Ghana);**
- 103.26. **Further develop and implement comprehensive policies to prevent violence against children (Turkey);**
- 103.27. **Promote measures aimed at preventing child labour and violence against children, in compliance with the ILO Conventions and the other relevant international instruments (Italy);**
- 103.28. **Further strengthen the efforts to eliminate the worst forms of child labour, especially in the rural areas (Poland);**

- 103.29. Continue its efforts to eradicate child labour in cooperation with UNICEF and relevant international organisations (Singapore);
- 103.30. Strengthen its policies relating to children labour and the elimination of the economic exploitation of children (Trinidad and Tobago);
- 103.31. Prepare and adopt a comprehensive policy to assist and prevent children from living in the street (Slovenia);
- 103.32. Secure the cooperation and full involvement of local government units and civil society partners in the implementation of anti-trafficking laws and programmes (Philippines);
- 103.33. Take further steps to address victims' rights, including taking forward reparations for victims of internal armed conflict, and to explore possible cooperation with United Nations special procedures in that regard (Germany);
- 103.34. Properly investigate all attacks against human rights defenders and prosecute their perpetrators (Netherlands);
- 103.35. Promote equality between men and women in the labour market, including, inter alia, an equal pay for equal work and the support of domestic care and tasks (Chile);
- 103.36. Continue its efforts to improve the standard of living of the population (Cuba);
- 103.37. Further progress to overcome the causes of extreme poverty, a major factor in the cases of juvenile delinquency and human trafficking, especially of the young by a firm implementation of the 2013 "National Policy on Trafficking in Persons." (the Holy See);
- 103.38. Continue its national housing policy to address the housing shortage (Kuwait);
- 103.39. Continue actions to improve the realisation of the human right to water, under the framework of Resolution 64/292 of the General Assembly (Bolivia (Plurinational State of));
- 103.40. Make continued efforts for the sustainable development of the health sector so as to ensure provision of high-quality medical services to all citizens (Democratic People's Republic of Korea);
- 103.41. Ensure that all women and girls have access to sexual and reproductive health services (Spain);
- 103.42. Assure women of their rights to safe medical and reproductive health care (Sweden);
- 103.43. Intensify efforts to better organize existing infrastructure and facilities relating to education so as to ensure that all children have equal access to education in both urban and rural areas (Greece);
- 103.44. Allocate greater budget to improving educational facilities, especially in the rural areas, as well as promote school enrolment at all levels (Thailand);
- 103.45. Step-up its measures in promoting and protecting the right of children living in rural areas including through ensuring equal access to education between children living in urban and rural areas (Malaysia);

- 103.46. **Promote literacy, especially in rural areas and focus these efforts on women and girls (Estonia);**
- 103.47. **Work on increasing the attendance rate of children at all levels of education, also with the aim of hampering and weakening the capability of criminal organizations to attract youngsters in the vicious circle of illegal activities and violence (Italy);**
- 103.48. **Strengthen its efforts to address the discrepancies in the access to education between girls and boys as well as the high drop-out rates from schools (Portugal);**
- 103.49. **Further develop more inclusive school programmes to ensure a better integration of children with disabilities and indigenous children (Angola);**
- 103.50. **Further promote education for children, especially in the rural areas and at secondary level (Sierra Leone);**
- 103.51. **Establish an effective policy to guarantee the implementation of non-discriminatory sex education throughout the education system and at all levels, in line with current up-to-date scientific information and from a human rights approach (Colombia);**
- 103.52. **Continue strengthening its institutional framework in conformity with the Convention of the Rights of Persons with Disabilities (Venezuela (Bolivarian Republic of));**
- 103.53. **Continue its efforts in providing necessary care for persons with disabilities including children with disabilities (Malaysia);**
- 103.54. **Adopt measures to further the enjoyment of economic, social and cultural rights by indigenous people (Italy);**
- 103.55. **Make progress with the qualitative census of indigenous peoples from El Salvador (Colombia);**
- 103.56. **Promote the adoption of a new national migration legislation (Sierra Leone);**
- 103.57. **Enhance efforts to ensure safety and rights of migrants (Bangladesh);**
- 103.58. **Adopt official procedures to establish the best interest of the child in all processes, in particular in those referred to immigration and refugees, using as a guideline, inter alia, General Comment 14 of the Committee on the Rights of the Child (Chile);**
- 103.59. **Support the on-going process of children and adolescents protection, by raising awareness on the ramifications of illegal migration, and provide for adequate care and facilities necessary for their repatriation and re-integration into society (Egypt);**
- 103.60. **Implement a national programme to support minors, to reduce the flows of migration (Russian Federation);**
- 103.61. **Cooperate at the regional level to find a solution to the very serious problem of the growing number of unaccompanied minors from Salvador that immigrate to other countries of the region (France);**
104. **The following enjoy the support of El Salvador which considers that they are already implemented or in the process of implementation.**

- 104.1 Continue and improve the efforts to implement the Convention against Torture (Indonesia);
- 104.2. Continue the introduction of advanced programs for ensuring the fundamental rights, especially for the vulnerable groups (Democratic People's Republic of Korea);
- 104.3. Continue its efforts to involve relevant stakeholders, including civil society as a partner of the government in promoting and protecting human rights (Indonesia);
- 104.4. Develop a comprehensive policy in order to remove obstacles to the effective implementation of existing laws protecting women and children (Norway);
- 104.5. Enforce existing legislation on women's, children's and adolescents' rights (Sierra Leone);
- 104.6. Continue and strengthen actions put in place to improve the rights of children and women, and the right to health for all its population (Cuba);
- 104.7. Continue the implementation of the national policy for a comprehensive protection of children and adolescents for the period 2013-2023 (Algeria);
- 104.8. Allocate adequate resources for programs ensuring the full enjoyment of the rights of children and adolescents (Australia);
- 104.9. Take all necessary steps towards the full implementation of the National System of Integral Protection of Children and Adolescents, including through appropriate funding, as provided for in the National Policy for the Promotion of the Integral Protection of Children and Adolescents (Brazil);
- 104.10. Promote greater participation and empowerment of young people in decision-making processes that contribute to the development of the country (Nicaragua);
- 104.11. Continue its efforts to eliminate discrimination against women (Bangladesh);
- 104.12. Take measures to ensure equal treatment of women in social and professional areas (Netherlands);
- 104.13. Intensify its ongoing actions to eliminate discrimination against women at all levels in the society (Sri Lanka);
- 104.14. Take specific measures to protect women from being victims of discrimination and violence, including the promotion of women's rights through education and media, further training of public officials, reduction of gender inequalities and empowerment of women (Turkey);
- 104.15. Continue its efforts to eradicate acts of racism and other forms of discrimination (Bolivia (Plurinational State of));
- 104.16. Take measures to prevent and punish torture in accordance with the recommendations of the Committee against Torture (Mexico);
- 104.17. Join efforts for the appropriate development of the Comprehensive Police Education System, approved in May 2013, aimed at an effective promotion and protection of human rights as a mainstreaming subject (Ecuador);

- 104.18. Accord a high priority to the implementation of legislation addressing violence against women (Australia);
- 104.19. Take all necessary steps to ensure the effective implementation of legislation seeking to combat violence against women and girls, and take specific measures to protect those who are victims of violence based on their sexual orientation and gender identity (Ireland);
- 104.20. Take all necessary measures to guarantee the full and effective implementation of laws on the protection of women and girls so as to strengthen the rights of victims but also to fight against the impunity of perpetrators of violence against them (Luxembourg);
- 104.21. Deploy all the necessary efforts to ensure the full implementation of the Comprehensive Special Law for a Life Free of Violence for Women, adopted in November 2010 (Uruguay);
- 104.22. Continue working against violence against women in line with its national legal framework for equality (Bolivia (Plurinational State of));
- 104.23. Continue actions to safeguard the physical and mental integrity of women, in accordance with the continuing awareness-raising campaign on the legal framework for substantial equality, initiated in 2012 (Ecuador);
- 104.24. Continue to implement legal and administrative measures to protect women and girls from domestic and sexual violence (Singapore);
- 104.25. Strengthen the implementation of the Law for Integral Protection of Children and adolescents (Germany);
- 104.26. Consider conducting a campaign to promote awareness of the Child and Adolescent Protection Act of 2009 and of the mechanisms for access to justice for children and adolescents (Poland¹);
- 104.27. Speed up the process of establishing a special law on trafficking in persons (Philippines);
- 104.28. Take the necessary steps to ensure the adoption of new legislation to counteract human trafficking (Trinidad and Tobago);
- 104.29. Continue making efforts to prevent and sanction trafficking in persons (Venezuela (Bolivarian Republic of));
- 104.30. Fully implement the recommendations on human rights defenders it accepted during the previous UPR, including to investigate fully and effectively violations committed against human rights defenders and journalists and to bring to justice those responsible (Norway);
- 104.31. Continue promoting measures against extreme poverty and in favor of social inclusion (Venezuela);
- 104.32. Continue its efforts to fight poverty and social exclusion (Algeria);
- 104.33. Continue its poverty reduction measures through the universal social protection system (Kuwait);
- 104.34. Sustain and promote the Government's socio-economic developmental policies by means of, inter alia, devoting more attention to any possible discrepancy between urban and rural areas in this regard (Egypt);
- 104.35. Continue strengthening its education programs and continue promoting the sound social policies that ensure the provision of health, food

and social protection goods and services for the benefit of its people (Venezuela (Bolivarian Republic of));

104.36. Establish mechanisms for consultation with indigenous peoples to adopt policies and legislation that promote their rights (Mexico);

105. The following recommendations will be examined by El Salvador which will provide responses in due time, but no later than the 28th session of the Human Rights Council in March 2015.

105.1. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance; the Optional Protocol to the Convention against Torture; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; and the UNESCO Convention on the Elimination of Discrimination in Education (Portugal);

105.2. Continue to consider signing and ratifying the Optional Protocol to the Convention against Torture; acceding to the Convention for the Protection of All Persons from Enforced Disappearance; and signing the Rome Statute of the International Criminal Court and to implement it by national law (Uruguay);

105.3. Ratify other important human rights instruments such as the CEDAW's and the CAT's facultative protocols (Greece);

105.4. Ratify the Rome Statute of the ICC as well as the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Poland);

105.5. Continue its efforts aimed at ratifying the Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

105.6. Ratify the Rome Statute of the ICC (Italy);

105.7. Positively consider ratifying the Rome Statute of the ICC (Trinidad and Tobago);

105.8. Continue its efforts to accede to the Rome Statute establishing the International Criminal Court (Costa Rica);

105.9. Continue its process of accession to the Rome Statute of the International Criminal Court and take all necessary measures to incorporate it into its national legislation (Luxembourg);

105.10. Complete internal legal procedures in order to ratify the Rome Statute of the International Criminal Court (Montenegro);

105.11. Finalize the process of ratification of the Rome Statute of the International Criminal Court (Portugal);

105.12. Accede to and fully align its national legislation with the Rome Statute of the ICC, and accede to the Agreement on Privileges and Immunities of the Court (Estonia);

105.13. Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Paraguay);

105.14. Ratify the Optional Protocol to CEDAW (Sweden);

105.15. Ratify the Optional Protocol of the CEDAW, which was signed in 2001 (Sierra Leone);

- 105.16. **Ratify the Optional Protocol to CEDAW to provide greater protection to women (Costa Rica);**
- 105.17. **Consider ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Republic of Korea);**
- 105.18. **Finalize the procedure of adoption of the Optional Protocol to CEDAW (Turkey);**
- 105.19. **Speed up the process of ratification of the OPCAT and establish an effective national preventive mechanism for preventing torture (Czech Republic);**
- 105.20. **Ratify the Optional Protocol to CAT (Lebanon);**
- 105.21. **Ratify ILO Convention 169 (Paraguay);**
- 105.22. **Withdraw the reservation to the Second Protocol to the ICCPR and abolish death penalty for all crimes (Montenegro);**
- 105.23. **Remove all reservations to the Second Protocol to the ICCPR aimed at abolishing the death penalty (France);**
- 105.24. **Maintain the separation of powers so that all branches of government respect the constitutional authority of each other branch (the United States of America);**
- 105.25. **Maintain the current legislation, which respects the human person at all stages of his or her life (the Holy See);**
- 105.26. **Strengthen measures aimed at protecting vulnerable persons and ensure that they have full access to natural resources (Cote d'Ivoire);**
- 105.27. **Further strengthen institutional and legislative measures to address inequality and disparities affecting persons belonging to vulnerable groups particularly in rural areas, in terms of access to education, health and employment (Sri Lanka);**
- 105.28. **Consider to draw-up and implement a national human rights program that addresses comprehensively issues such as public safety and violence, taking into account all social actors (Nicaragua);**
- 105.29. **Promote the draw-up and adoption of a national human rights plan (Peru);**
- 105.30. **Examine the possibility of creating a monitoring system of international recommendations to facilitate the systematization and follow-up of the recommendations from human rights bodies and special procedures (Paraguay);**
- 105.31. **Establish mechanisms of evaluation and follow up of the implementation of human rights public policies and programs, in particular those referred to the fight against discrimination in all its forms and on any grounds, taking into account the recommendations from the UPR and other human rights mechanisms (Colombia);**
- 105.32. **Draft, in consultation with civil society, and adopt a law on gender identity for transgender persons in which their right to identity is recognized among other civil and political rights (Spain);**

- 105.33. **Bring its legislation into conformity with its commitment to equality and non-discrimination, by prohibiting discrimination based on sexual orientation (Canada);**
- 105.34. **Take concrete measures to strengthen its policies of promotion and protection of LGBT people, through public policies which combat hatred crimes against those individuals (Brazil);**
- 105.35. **Continue the effective implementation of preventive programs to guarantee the full enjoyment of rights and the protection of LGBTI people against acts of violence and discrimination affecting them (Chile);**
- 105.36. **Guarantee the right of all people to live and develop in accordance with the self-perceived gender identity (Colombia);**
- 105.37. **Keep striving to eradicate unchecked criminality, corruption and gang activity, which produce devastating human rights violations, especially those acts of violence and murder, by focussing on education, proper employment and transparency in law enforcement (the Holy See);**
- 105.38. **Strengthen measures to confront the origins of violence and crime in its combat against organized crime, and adopt a restorative justice approach for young people (Norway);**
- 105.39. **Undertake extensive action in order to demilitarize the police force and to grant responsibility for public security to the appropriate institutions (Greece);**
- 105.40. **End the involvement of military personnel in civilian security work, and train police officers to carry out their responsibility to protect the population efficiently and with integrity (Norway);**
- 105.41. **Make increased efforts to protect children from economic exploitation, inter alia through introduction of legislation establishing minimum age for admission to employment and ensuring decent working conditions (Czech Republic);**
- 105.42. **Reinforce the judicial system and law enforcement authority with a view to eliminating widespread and organized violent crimes which seriously threaten public safety, especially the safe school environment (Republic of Korea);**
- 105.43. **Improve the transparency and efficiency of its judicial system; ensuring a fair, open and prompt process for all sectors of society (the United Kingdom of Great Britain and Northern Ireland);**
- 105.44. **Improve pre-trial processing times and increase resources for penal reform (the United States of America);**
- 105.45. **Combat impunity by increasing the capacity of investigators and prosecutors and reducing corruption in the public sector and judiciary (the United States of America);**
- 105.46. **Take increased measures to prevent and combat impunity for human rights violations, through investigation of all threats, harassment, intimidation, violence and enforced disappearances, in particular those concerning children and human rights defenders, and ensure that all perpetrators are held accountable for their actions (Ireland);**

- 105.47. Consider amending the General Amnesty Act of 1993 which remains an obstacle to the punishment of serious human rights perpetrators (Republic of Korea);
- 105.48. Take concrete and substantial steps in matters of transitional justice in order to address grave human rights violations committed during the internal armed conflict 1979-1992 (Sweden);
- 105.49. Make the necessary constitutional and legislative amendments in order to decriminalize and remove the ban on abortion (Australia);
- 105.50. Repeal laws criminalizing abortion and eliminate all punitive measures (Iceland);
- 105.51. Revise its legislation related to abortion regarding victims of rape, especially victims that are minors, and when the health of the woman is seriously at risk (Luxembourg);
- 105.52. Amend its legislation on abortion (Norway);
- 105.53. Adopt legislation on abortion that is in line with its international human rights obligations, taking into account indicators such as medical risks, rape, incest and to ensure improved access to appropriate methods of contraception (Germany);
- 105.54. Decriminalize abortion when the pregnancy endangers the mother's life or health, and when it is the result of rape (Spain);
- 105.55. Initiate an open public debate on sexual and reproductive health and rights and decriminalize life-saving abortion and abortion in cases of pregnancies resulting from rape or incest (Czech Republic);
- 105.56. Decriminalize abortion and ensure that safe and legal abortion services are available for those women and girls whose pregnancy is a result of rape or whose lives or health are put at risk (Slovenia);
- 105.57. Consider reviewing its legislation on abortion in order to take into account situations where pregnancy is the result of rape or incest or when the pregnant woman's life is in danger (Sweden);
- 105.58. Ensure the availability of safe abortions, at a minimum, in cases where the life or health of the pregnant woman or girl is at risk, and in cases where the pregnancy is the result of rape (Iceland);
- 105.59. Immediately and unconditionally release all women and girls who have been imprisoned for undergoing abortions or for having miscarriages (Iceland);
- 105.60. Free all women and girls incarcerated for having undergone an abortion or for having endured one spontaneously, and also remove their criminal records for these motives (Spain);
- 105.61. Ensure that all women, especially the young, have access to contraception and anonymous, non-discriminatory and confidential sexual and reproductive health service (the United Kingdom of Great Britain and Northern Ireland);
- 105.62. Ensure access to comprehensive sex education and to sexual and reproductive health services, including contraception (Iceland);

106. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of El Salvador was headed by Mr. Mr. Carlos Alfredo Castaneda, Vice-Minister for Foreign Affairs and composed of the following members:

- Mr. Joaquín Alexander Maza Martelli, Ambassador, Permanent Representative in Geneva;
 - Ms. Tania Camila Rosa, Director General for Human Rights, Ministry for Foreign Affairs;
 - Mr. Jorge Alberto Jiménez, Director General for Integral Social Development, Ministry for Foreign Affairs;
 - Ms. Carmen Elena Castillo, Minister Counsellor, Permanent Mission in Geneva;
 - Ms. Matilde Hernández de Espinoza, Under-Secretary for Social Inclusion;
 - Ms. Zaira Navas, Director of the National Council for Children and Adolescents;
 - Ms. Gloria Martínez, Director for International Systems of Human Rights Protection, Ministry for Foreign Affairs;
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