

# REPORT

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## Report of El Salvador

*European Parliamentary Forum for Sexual and Reproductive Rights*

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**Date: September 19th – 22nd, 2023**

## Report of El Salvador



### Participants List:

#### *Members of Parliaments*

Hon. Kathleen Depoorter (MP, Belgium),  
Hon. Paula Werning (MP, Finland),  
Hon. Iñigo Iturrate Ibarra (MEP, Basque Country),  
Hon. Rupa Asha Hug (MP, United Kingdom),  
Hon. Jenn Díaz Ruiz (MP, Catalonia)

#### *EPF secretariat*

Ms. Claire Poppelwell  
Ms. Silvia Traina  
Ms. Marina Davidashili

## *SEDRA Secretariat:*

Ms: Filomena Ruggeiro

## *Agrupación ciudadana*

Ms. Lissett Alas Iraheta

Ms: Sara García

## **Introduction**

The European Parliamentary Forum for Sexual and Reproductive Rights (EPF) and the Agrupación Ciudadana por la despenalización del aborto, in collaboration with Federación de Planificación Familiar (SEDRA), organised a study visit with parliamentarians from Finland, the Basque Country, Catalonia, Belgium, and the United Kingdom from September 19<sup>th</sup> to 22<sup>nd</sup>, 2023 in El Salvador.

The purpose of the study visit was to learn about the situation of sexual and reproductive rights of women, girls, and adolescents in El Salvador. To this end, we sought to have spaces for dialogue with public officials, cooperation agencies, diplomatic corps, human rights organisations, and territorial visits.

### **Day one - September 19, 2023**

#### **Meeting with Agrupación Ciudadana and ASOGOES**

This meeting was held with members of the Agrupación ciudadana; a contextualization of the political situation in El Salvador was made based on the peace accords of 1992 and the emergence of NGOs, including the Agrupación ciudadana.

Regarding the country's political situation, it was mentioned that the country has been in a State of Exception since March 2022, where constitutional guarantees have been lost and the current government of Nayib Bukele has declared war on gangs and the persecution of politicians from previous governments. Likewise, it has closed the spaces for dialogue between the government and civil society, mainly to human rights organizations. Reference was made to the fact that statistics related to sexual and reproductive rights are currently inaccessible because the current government does not allow public information to be provided to civil society organizations.

In this meeting, reference was also made to two cases that the Agrupación ciudadana and the Colectiva feminista have taken to the Inter-American Court of Human Rights, one of them is the case of Manuela, a woman who in 2010 died in prison sentenced to 30 years in prison accused of homicide for an obstetric emergency she had in 2008. This case was brought before the highest court in the Americas, and in 2021, the court ruled in favor and condemned the Salvadoran state.

The judgments issued by the Inter-American Court are mandatory and Manuela's judgment mandated the Salvadoran State to take measures of reparation and non-repetition, the latter requires the creation of protocols for obstetric emergency and professional secrecy, as well as the implementation of Comprehensive Education on Sexuality.

Two years after Manuela's sentence, the government of El Salvador has not complied 100% with the measures of reparation and non-repetition, even though protocols have been created, no effort has been made to disseminate them. Further, regarding comprehensive sexuality education, in September 2022 the State ordered the withdrawal of all materials alluding to the CSE because of a spot broadcast on a national channel that talked about sexual diversity.

The members of Agrupación ciudadana and Colectiva feminista concluded that we are facing a dictatorship that could last 10 more years, since Nayib Bukele will be reelected in the next elections in 2024 and has more than 85% of acceptance.



## Meeting with the Board of Directors of the Association of Gynaecology and Obstetrics (ASOGOES)

After the first briefing with the Agrupación Ciudadana, members of the board of directors of ASOGOES, an association of doctors working in public hospitals, joined the group. They raised concerns within the health profession on the persecution that occurs with some doctors when they take a stance against the State.

The healthcare personnel expressed being powerless in guaranteeing rights, citing the example that they cannot perform an interruption of an ectopic pregnancy because they fear being reported by their colleagues as abortion is penalised in all its forms in El Salvador.

They referred to the Manuela judgment, stating that two protocols are available—one for obstetric emergencies and another for professional secrecy. ASOGOES has made efforts to disseminate this information among healthcare personnel. However, they received a circular from the Ministry of Health instructing them to stop these efforts. The Ministry of Health has not shared the protocols with the health profession, and there is no interest in doing so. Despite this, ASOGOES, the Salvadoran Medical Union and the Agrupación are organising sessions to disseminate both documents.





## Day 2 - September 20th, 2023

### 1. Meeting with the European Union

The group of parliamentarians, the EPF team, and the Agrupación ciudadana participated in a meeting hosted by the European Union Ambassador Francois Roudie with the aim of providing a political context for the country.

Among the points raised by the ambassador, was the improvement in the country's security and the efforts made in combating gangs. Another topic highlighted was the acceptance among the Salvadoran population that Nayib Bukele will be re-elected. Ambassador Roudie emphasised that the country is far from being a dictatorship as it does not meet the characteristics of one, especially, the fact that no journalist or media outlet has been criminalised for opposing the policies of the current government.

### 2. Participation in the Third Congress on Comprehensive Sexuality Education (CSE)

On September 19 and 20, 2023, the Third Congress on Comprehensive Sexuality Education was held at the Marte Museum with the purpose of developing learning, awareness, dissemination, and positioning in line with the Congress's objectives. This event had more than 200 participants, with a notable presence of youth, followed mainly by faculty members and local stakeholders.

During the experience-sharing session, parliamentarians were asked to participate and share insights into the access to Comprehensive Sexuality Education in their respective countries.

Presentat ion	Central ideas presented	Questions and comments from attendees
Jenn Díaz (Catalonia)	<p>1. The right to decide for our bodies is a human right, under this premise the institution that begins to work on the issue of pregnancy termination is created.</p> <p>There are some rural areas where there is little access to abortion services, so centers are being created to bring them closer to their places of residence.</p>	<p><b>Question/</b> What is the position of the Spanish Soccer Federation towards the young man who made the complaint?</p> <p><b>Answer/</b></p> <p>With respect to Yenni Hermoso, it is a good opportunity, since these cases are daily occurrences, and</p>

	<p>3. Sexual and affective education has been incorporated into the curriculum. Training in CSE for teachers has been implemented.</p> <p>A plan has been made to provide accompaniment, menstrual equity, free access to organic menstrual products, as part of universal access.</p>	<p>this allows us to highlight the issue, I trust that there is a feminist leadership and accompaniment. Although, also, there is evidence that there is impunity.</p> <p><b>Question/</b> What prevention methods exist for men?</p> <p><b>Answer/</b></p> <p>We have done a lot of research, but there are still no concrete results, since it is different from the invention of the pill for women, it has improved in the use of the number of hormones, but for some people it says that it is not worth it because there are already these contraceptives for women. It is a scientific discussion that is being held now, this is a parliamentary issue, but it is also necessary to ask the universities for more research on the subject.</p>
Paula Werning (Finland)	<p>1. CSE starts at age three, my 13-year-old son told me: I was able to try condoms. In Finland it is normal, dating is normal, they practice with bananas, they know how to use contraceptives.</p> <p>There is an issue for young people to vote, so through this means, candidates seek to have a conversation with them.</p> <p>3. Birth control is important and not important to know about safe sex.</p>	
Dr. Rupa Asha (United Kingdom)	<p>1. The situation in the UK has changed, we had high numbers of pregnancies, and it has increased in the last decades.</p> <p>2. In 1999, a strategy was developed to prevent teenage pregnancies; these are strategies that take years to produce results. There was a teacher who could not talk about it, he would lower his head, now everyone recognizes his rights. It is not only about putting the condom on the banana, in the buses there is an advertisement that says: <i>If she says no, it is NO.</i></p>	

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3. Before, it was necessary to obtain permission from parents, where they authorized Comprehensive Sexuality Education (CSE), despite the presence of conservative individuals who always seek to oppose the topic.

4. There are criteria for abortion, there is a case of a lady who has been 36 days in jail for this issue, in pandemic they could take this pill, at 7 weeks, but she did it at 10 weeks, for that reason she was sent to jail; however, as she has 3 children, she was allowed to go free. Abortion has not been criminalized.

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Kathleen Depoorter (Belgium)

1. Contraceptive pills are free, and abortion is legal.

2. Sex education is offered from primary school onwards; teachers receive tools and training for CSE.

2. At very early ages it is explained how animals are born; then, in secondary schools it is taught what CSE is. First grade morphological image and ideal image, from how they feel and sexual orientation.

3. Young people go to pharmacies and are provided with the day-after pill and advised that they should go to an CSE counseling center.

4. They are taught about voluntariness, consent, sexual orientation and preference, self-respect, self-experiences, love, sexuality, different intimate relationships, marriage.

5. The Belgian CSE program indicates that 2 hours must be given according to certain ages. Recently it was made mandatory for all ages and these extremist groups related to religions are opposed to it, but the government will not accept it.

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**Question/ What is the family integration in Belgium?**

**Answer/**

On the issue of diversity, parliamentarians and families agree, but the extreme right and some remote areas are calling for the annulment of the issue of homosexual relations; the second problem is extreme Islam, fortunately it is the minority, so that is why the right to decide continues to be prioritized.





### **3. Meeting with teachers and students**

This meeting was organised at the venue of the Third Congress on Comprehensive Sexuality Education. The objective of the meeting was to share the experience and the need for the implementation of CSE in schools.

The main concerns of teachers and students were:

- The removal of all CSE-related educational material from schools. This happened last year by presidential mandate, now teachers are forbidden to discuss the subject with students.
- They have restricted access to feminist and women's organisations to educational centres. Previously they were allowed to enter to talk about CSE and gender violence prevention, the situation now is different and is impacting the youth.
- There is a rebound back to high rates of pregnancies in girls and adolescents which had decreased with access to the CSE especially in rural areas or in municipalities.

The teachers and students made a call to the parliamentarians so that in the upcoming opportunities they have during the visit, they can share the situation of CSE in the country and the importance of its implementation.



#### **4. Visit to the National Women's Hospital**

A visit was made to the National Women's Hospital, with the participation of the technical team for children and adolescents, the hospital director, parliamentarians, Agrupación Ciudadana and the EPF team.

The purpose of the meeting was to learn about the conditions and services provided by the hospital in terms of sexual and reproductive health. The hospital's technical team referred to the recently approved law 'Nacer con cariño' (Being born with love), which is based on the recommendations of the World Health Organization (WHO) and whose main objective is to ensure that the birth experience is lived as a special moment in dignified conditions.

This law has allowed women to be accompanied by their partners during childbirth, to undergo training in newborn care, and to decide the manner of childbirth.

Regarding family planning methods, they mentioned that they only have long-acting methods and that these do not respond to the needs of adolescents, but there is a shortage in this hospital, and this is the only thing they can offer. After this exchange with the healthcare personnel, there was a tour of the hospital facilities.



## **5. Meeting with the diplomatic corps and agencies of the United Nations system**

The Ambassador of the United Kingdom organised a meeting with the diplomatic corps and agencies of the United Nations system. This meeting was attended by the Ambassador of France, the European Union and the United Kingdom, the United Nations Population Fund, UN WOMEN and UNICEF.

The ambassador of the United Kingdom welcomed the parliamentarians and made a round of presentation of all the participants. Among the points that were raised was the progress that has been made with the creation of laws such as *Nacer con Cariño*, *Crecer Juntos*, *Amor convertido en alimento* (Being Born with Love, Growing Together, Love turned into Food, respectively) and the creation of protocols for obstetric emergencies and professional secrecy.

The United Nations Population Fund (UNFPA) referred to the fact that there is a reduction in teenage pregnancies and that they are working on a "llegar a cero" (get to zero) strategy. Both UNFPA and UN WOMEN mentioned the limitations they have had to talk about certain issues, but that they are looking for ways to prevent setbacks in terms of SRHR.

The parliamentarians expressed concerns raised by civil society regarding the state of emergency, the closure of spaces for dialogue with civil society, the lack of dissemination of protocols for obstetric emergencies and professional secrecy,



the regression in Comprehensive Sexuality Education, and the silence from the international community.

Both the ambassadors and the agencies of the United Nations system made it clear that within their competencies, there is interaction with the government and civil society. They stated that they are seizing every opportunity to prevent setbacks and are aware that alternative paths must be explored.



## **6. Reception at the United Kingdom ambassador's residence**

The Ambassador of the United Kingdom, David Leliot, hosted a reception at his residence and invited the diplomatic corps, cooperation agencies, and human rights organizations. The reception aimed to provide a space for exchange with the parliamentarians and attendees. Among the attendees were the ambassadors from the European Union, France, and Mexico.



## Day three - September 21st.

### 1. Meeting with members of congress

This meeting was convened by the Agrupación Ciudadana and the Dutch Institute for Democracy. The meeting was attended by members of the Agrupación, the Dutch Institute, candidates for congress and congressmen and women, EPF team and parliamentarians.

The deputies who participated:

- Mónica de la Cruz: Nuestro Tiempo candidate for congresswoman
- Gabriela Larios: substitute candidate of Nuestro tiempo
- Johnny Wright Sol: Congressman of Nuestro Tiempo
- Anabel Belloso: FMLN Congresswoman
- Josué Godoy: PDC's candidate for Congressman

The objective of the meeting was to have an exchange between European parliamentarians and Salvadoran parliamentarians.

The Salvadoran member of the congress reflected on the legislative and political panorama for the next elections, where the New Ideas party will have the majority in the parliament.

Being the opposition in this period has not been easy since the voice of the opposition parties is not considered. In addition, decisions are not made in parliament, most decisions are made in the presidential palace.

On the other hand, there was a reference to proposals for laws from civil society that were not discussed and were immediately archived. Here, reference is made to the 'Reforma Beatriz' proposal, which sought to reform the penal code to decriminalise abortion under certain circumstances.

The political panorama in El Salvador is not favourable, we are facing a dictatorship since there is a concentration of all state powers.



## 2. Field visit

Parliamentary visit to La Noria.

The parliamentary group visited La Noria community, where they engaged with Beatriz's family. The exchange took place at the premises of the Feminist Collective.

Humberto Gámez, Beatriz's brother, shared details about the case and the ongoing struggle his family have undertaken in seeking justice for Beatriz. He spoke about the hearing in Costa Rica and emphasised its significance for them as a family to raise Beatriz's voice to the highest court in the Americas. He also expressed gratitude for the support provided by women's and feminist organisations.



The parliamentary group attentively listened to the family and other community leaders who spoke about the case. The parliamentarians made several commitments to support Beatriz's case and her family, including amplifying the message in their respective countries.

During discussions with community leaders in La Noria, they were informed about the impacts the State of Exception has had on their community. Testimonies of arbitrary arrests of both women and men were part of the narratives. They highlighted the fear instilled by security forces in the community and how they have organised themselves to respond. Some families have not seen their detained family members for over a year during the regime, emphasising that these individuals are innocent. They requested support from the parliamentary group to expose what is happening in El Salvador.



## Day four - September 22

### 1. Meeting with the women's collective

This meeting took place at the offices of the Feminist Collective and the Civic Association. The purpose of the meeting was to review the various activities during the study visit. Among the highlights were the field visit to Beatriz's family and the relatives of victims during the State of Exception, as well as the expectations associated with the visit of the parliamentarians, aiming to influence and exert pressure on the Salvadoran government.

The Agrupación ciudadana asked the parliamentarians to support the Inter-American Court of Human Rights, since it has been attacked lately by conservative groups for the ruling of Manuela's sentence and for the upcoming sentence of Beatriz.

The parliamentarians committed to issuing a joint statement with the results of the study visit, to publish articles and even a possible exchange between Poland and El Salvador, which are countries with restrictive legislation on abortion.

This was also a space to thank the parliamentarians for their visit and to express their support and solidarity with El Salvador.



## **2. Meeting with civil society organizations**

On the last day of the study tour, the parliamentarians met with human rights and feminist organisations at the José Simeón Cañas Centroamericano University (UCA). To start, it was proposed to discuss issues in blocks of organizations and their respective needs. The organisations expressed their concerns regarding El Salvador's socio-political context; outlining the background and experiences within the framework of the State of Exception. They highlighted the persecution of civil society organisations, leading to the implementation of measures to ensure protection mechanisms for human rights defenders. Concerns were also raised about security, laws related to money laundering with a political intent to discourage funding for work with the population, and the limited dialogue with the current government.

The feminist block expressed concerns about sexual harassment, gender-based violence, political violence, and militarism within both national and private universities. They addressed cases with judicial delays related to sexual violence and the re-victimisation of survivors. In reference to the Environmentalist block, there was

discussion about the lack of political will to sign the Escazú Agreement and implement the Millennium Development Goals.

