



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Ninety-ninth session

5–29 August 2019

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined eighteenth and nineteenth periodic reports of El Salvador

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send a short list of themes to the State party concerned with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

Information on the demographic composition of the population

2. Updated and disaggregated data on the ethnic composition of the population since the 2017 census. How, in the context of this census, the distinct identity of indigenous peoples and the Afrodescendent population and consultations with them were taken into account in order to ensure that the census accurately reflects their situation (CERD/C/SLV/CO/16-17, para. 9).

Legal, institutional and public policy framework for combating racial discrimination (arts. 2, 4, 6 and 7)

3. Definition of racial discrimination in accordance with article 1 of the Convention (CERD/C/SLV/CO/16-17, para. 11). Definition of the actions described in article 4 of the Convention as criminal offences and specific cases involving such offences (CERD/C/SLV/CO/16-17, para. 12).

4. Implementation of the Act on the Rights of Indigenous Peoples, the Public Policy for Indigenous Peoples adopted in 2017, the National Action Plan for Indigenous Peoples and the municipal ordinances for indigenous communities.

5. Advances in the discussion and adoption of legislative proposals or initiatives for combating racial discrimination. Measures taken to strengthen the institutional framework for combating racial discrimination.

6. Cases of racial discrimination registered, investigated and brought before the national courts and the outcomes of these cases. Information on concrete action taken to improve access to justice for indigenous peoples and the Afrodescendent population.



Information on the extent to which justice officials are familiar with the Convention (CERD/C/SLV/CO/16-17, para. 13).

7. Prevention of the spread of messages that encourage the dissemination of racial stereotypes and prejudices, particularly those relating to indigenous peoples and the Afrodescendent population.

Situation of indigenous peoples and the Afrodescendent population

8. Recognition of the existence of the Afrodescendent population and, in particular, information concerning the progress of the proposal submitted to the Legislative Assembly to amend article 63 (2) of the Constitution (CERD/C/SLV/CO/16-17, para. 21).

9. Measures taken to eliminate structural discrimination against indigenous peoples and the Afrodescendent population, including special measures for indigenous and Afrodescendent children.

10. Poverty rate among indigenous peoples and the Afrodescendent population, disaggregated by gender and age. Information on the participation of indigenous peoples and the Afrodescendent population in the development of the multidimensional poverty measurement system (CERD/C/SLV/CO/16-17, para. 8).

11. The right to land of indigenous peoples and the Afrodescendent population, the progress made in the titling of land and in granting collective titles to ancestral lands and territories, and the measures taken to ensure the participation of indigenous and Afrodescendent communities in this process. Information on the outcomes of the Public Policy for Indigenous Peoples, the National Action Plan for Indigenous Peoples and the municipal ordinances for indigenous communities and other laws related to the titling of indigenous lands and territories (CERD/C/SLV/CO/16-17, para. 17).

12. Implementation of the Culture Act and information on programmes intended to raise awareness of the rights of indigenous peoples. Information, including quantitative and qualitative data, on the effective revitalization of indigenous cultures, identities and languages, in particular the Nahuatl language (CERD/C/SLV/CO/16-17, para. 19).

13. Implementation and impact on indigenous peoples and the Afrodescendent population of the Five-Year Development Plan 2014–2019, the Social Development and Protection Act, the Poverty Eradication Strategy, social programmes in the poorest municipalities, the National Health Policy 2015–2019 and the Social Housing Fund. Information on the participation of indigenous peoples and the Afrodescendent population in the development of these laws and policies, including the formulation of intercultural education and health programmes (CERD/C/SLV/CO/16-17, para. 20).

14. The rights to participation and consultation with a view to securing and respecting the right of free, prior and informed consent of indigenous peoples and communities (CERD/C/SLV/CO/16-17, para. 18). Information on the Multisectoral Forum of Indigenous Peoples.

Situation of human rights defenders

15. Protection measures granted to indigenous and Afrodescendent human rights defenders who find themselves under threat for defending those rights, particularly in the context of large-scale development projects. Implementation of the decisions of the inter-American human rights system regarding the Las Hojas and El Mozote massacres. Information on reparation and material compensation for the victims (CERD/C/SLV/CO/16-17, para. 14).

Migrants, refugees, asylum seekers and internally displaced persons

16. Legal framework and safeguards for migrants, refugees, asylum seekers and internally displaced persons, and their compliance with the Convention (CERD/C/SLV/CO/16-17, para. 15).

Situation of indigenous and Afrodescendent women

17. Fight against impunity in cases of violence against indigenous women, particularly in cases of femicide. Measures taken to eliminate multiple discrimination that affects indigenous and Afrodescendent women. Advances in the participation of indigenous and Afrodescendent women in public and political life and in their access to education, work and health services, including sexual and reproductive health services. Implementation of the Special Programme for the Promotion and Protection of the Rights of Indigenous Women (CERD/C/SLV/CO/16-17, para. 22).
