

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN IN EL SALVADOR

Alternative Report from Rural Women, prepared by CLADEM El Salvador

The Alternative Report prepared by CLADEM El Salvador, develops with special interest, observation 37 issued by the CEDAW Committee in its 42nd period of sessions to the State of El Salvador:

“Although it welcomes with satisfaction the initiatives and the social programs of the State party to empower women living in conditions of extreme poverty, the Committee is worried about the persistence of high levels of poverty and social exclusion among Salvadoran women, especially rural, indigenous and migrant women, and about obstacles for their access to basic social rights”

I. ECONOMIC AUTONOMY OF WOMEN

Regarding access to land ownership, the Salvadoran Agricultural Transformation Institute (ISTA) reports that in the June 2009 to May 2014 quinquennium, there were 45,200 property deeds delivered in the entire country, of which 28,267 corresponded to men (63%) and 16,933 to women (37%)¹.

In matters of entrepreneurship, several public financial institutions, among them the Development Bank of El Salvador (BANDESAL)² have granted loans to women in the period from June 2009 to April 2013³, according to the following detail:

	BMI-BANDESAL	FIDEMYPE	FDE	FIDENORTE
Men	18,291	7,513	10	
Women	22,568	13,358	1	6

Source: own development

According to this information, on average, women have received more loans than men. However, upon close examination of their amounts, the situation is reversed, since men have had 30% more access to loans and in certain cases, this gap increases and exceeds 50%⁴.

¹ ISTA. Accountability 2014-2015. The document can be seen in: <http://www.ista.gob.sv/images/ISTA%20RENDICION%20DE%20CUENTAS%202014-2015.pdf>

² It is a public loan institution, autonomous and with indefinite period. It is a second-tier bank that offers medium and long-term funds through local financial institutions supervised by the Superintendence of the Financial System so that credit facility users use them for investment project funding: permanent expansion of working capital, technical training of personnel, acquisition of machinery and equipment and even the construction of facilities and infrastructure.

³ ISDEMU and Technical Secretariat of the Presidency. Public policies and actions aimed at promoting the economic autonomy of Salvadoran women. San Salvador, April 2013, page 14.

⁴ Idem, page 15.

The Agricultural and Livestock Development Bank (BFA) is another public banking institution; its strongest credit facilities are in the strengthening of agriculture, where male presence has prevailed. The participation of women represents, on average, 18%, and the amounts granted in agricultural loans only reach 14%⁵. In the other facilities aimed mainly at strengthening small and microenterprises in the trade, service, handicraft and industry sectors, the trend of access is still uneven. Although women represent the majority in the number of loans (61%), when analyzing the amounts, they correspond only to 44% of the total granted.⁶

One participant of the workshops provided by CLADEM El Salvador said that she applied for a loan but was asked if she had a job; therefore, this became a limitation. They state that women have not been benefited, that they are poorer. They suggest that there should be more information related to applications and that requirements should be reviewed.

In order to guarantee the mainstreaming of the principle of equality and non-discrimination in the granting of loans, it should be taken into account not only if women as a whole receive more loans than men, but also, and maybe one of the most important aspects, the amount that each one receives should be verified and depending on that, where that can be invested and which personal benefits women derive from it, a situation that doesn't occur in El Salvador.

In the area of agriculture, cattle farming, hunting and forestry, the participation rate of women is 4.0 in relation to 28.1% of men. The average monthly salary in this category was USD\$132.30 for women and USD\$143.10 for men. In fishing, the average monthly salary for women was estimated at USD\$168.10 and of USD\$261.10 for men⁷.

It must not be forgotten that in the patriarchal logic, the economic income received by women is understood as a "complement" in many occasions to the total income of the household. The little income obtained by women is invested in their children, in household expenses, and even in their male partners, but it does not represent an investment in them. Their personal needs are postponed.

Women leaders from diverse municipalities of El Salvador stated that they carry out a double and/or triple shift that hinders their real possibilities of generating economic autonomy processes. They commented that the early riser is the women, who must get things ready before leaving the household, leave the food ready and prepare the children, wash, clean house and then go to work either cutting sugar cane or picking coffee. When they return home, they cook, do homework with their children and carry out multiple activities. Their working hours are much longer than those of men; women are the first ones to get up and the last ones to go to bed.

Source: input provided by women leaders participating in the input collection process to prepare the CEDAW alternative report, organized by CLADEM El Salvador, on July 9, 2016.

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⁶ ISDEMU and Technical Secretariat of the Presidency. Public policies and actions aimed at promoting the economic autonomy of Salvadoran women. San Salvador, April 2013, page 14.

⁷ DIGESTYC. Multi-Purpose Household Survey: El Salvador 2014, page 0.

The Ministry of Agriculture and Livestock (MAG) is executing the Family Agriculture Plan, whose main objective is to reduce the levels of rural poverty through the generation of wealth and welfare among the families developing family agriculture. It is implemented from four comprehensive and complementary programs aimed at food security, productive chains, agricultural and livestock innovation and the link with industry and trade⁸. Such program is presented as an example of the adoption of the gender-based approach by the Government. Some members of organizations participating in the workshops organized by CLADEM El Salvador reported being beneficiaries of such Program.

Several participants stated that *"they think that agricultural packages are beneficial, but there are no links to coordinate programs such as family orchards. The documentation requirements requested is the Unique Identification Document, which must indicate that their occupation is in agriculture"*.

It is important for the Salvadoran state to overcome the family-based vision of women and they are really allowed to address their needs and interests as individuals with rights. The development of women is not limited only to the family.

Regarding access to *intangible assets*, MAG also provides training and technical assistance services in matters such as business management, agricultural productive subjects, associativity, loan management and livestock-related reproduction, among others. In this category, MAG reports that from April 2011 to May 2013, women had low participation in this type of activities (training and technical assistance) compared to men: 53,543 women against 122,811 men⁹.

Desertion among women in this type of processes is multicausal. As previously mentioned, women must assume a double or triple shift, addressing matters of their households and children before personal formation spaces. Many get also discouraged because although they participate in these processes, the conditions that allow them to put knowledge into practice have not been generated due to lack of supplies to start a business or because they do not have loans, among others.

On the other hand, in 2015 The Ministry of Health reported that out of every four births attended by that Ministry, one was of adolescents from 10 to 19 years. It also indicates that on average each day four girls from 9 to 14 years and 32 girls from 15 to 17 years old are enrolled in prenatal control¹⁰.

Articles 14 and 18 of the Family Code, allows the marriage of a girl or adolescent, as long as she is pregnant or has children in common and there is express consent of parents or guardians. Article that contravenes the criminal rule (Article 159) which states that any sexual relationship with a person under 15 years of age constitutes a crime.

⁸ ISDEMU and Technical Secretariat of the Presidency. Public policies and actions aimed at promoting the economic autonomy of Salvadoran women. San Salvador, April 2013, page 23.

⁹ Idem.

¹⁰ Ministry of Health, Labor Report 2014-2015. First Edition, San Salvador, May 2015.

A 13-year-old girl was raped and the perpetrator was not identified. The girl does not talk about what happened. The population noticed the case when she saw her pregnant. The case was notified to the Health Unit and then reported to the Salvadoran Institute for Integral Development of Children and Adolescents (ISNA) and Ciudad Mujer. She received psychological care and basic food aid.

It is not known whether the authorities have followed the case. The girl has not repaired the damage caused and the psychological affectation is permanent in time. The events occurred in the municipality of San Pedro Masahuat, La Paz.

Source: input provided by women leaders participating in the input collection process to prepare the CEDAW alternative report, organized by CLADEM El Salvador, on November 9, 2016.

II. CONCLUSIONS

- Salvadoran rural women continue facing high levels of poverty and social exclusion. Public policies related to the economic empowerment of women have not been able to incorporate the gender-based approach. Evidence of this is that in the area of loans in domestic banks, there are still requirements that do not correspond to the socio-economic reality of women and, therefore, they can't have access to them. When they are granted, the amounts assigned are lower than those approved for men.
- The access of rural women to land is still an unmet need. Women are widely underrepresented among agricultural land owners. The ownership of land for women must go hand in hand with simultaneous economic empowerment processes that allow their sustainability.
- The "Ciudad Mujer" program represents the territorialisation and concentration of different services provided by public institutions to women in diverse rural sectors of El Salvador in matters of violence against women, economic empowerment, as well as in sexual and reproductive health. It tries to mitigate, partially, the practical needs of women, but not the strategic ones.
- There is impunity in the judicial system because Judges know that pregnancy in a girl under the age of 15 is a crime. Also, the Ministry of Health doesn't report the cases of pregnant girls who come to their controls, so that the rapists aren't prosecuted.
- Based on the testimonies of the women that participated in the consultation workshops organized by CLADEM El Salvador, it was identified that organized rural women are in an advantageous situation by being beneficiaries of government programs/projects, compared to those that are not participating in any organizational expression, as in the case of the activities carried out by the Ministry of Agriculture and Livestock.

III. RECOMMENDATIONS

- It is necessary for the Legislative Assembly to resume internal discussion with the objective of approving an Agrarian Code with a gender-based and human rights perspective that contributes to the compliance with articles 36 and 37 of the Law of Equality, Equity and Eradication of Discrimination Against Women (LIE) related to the

rights of women in rural development and to the ownership and co-ownership of agricultural productive units.

Land ownership for women as proprietors is still a pending matter. Currently, civil and mercantile legislation regulates this situation, and it is necessary to develop, from Agrarian Right, the principle of the social role of private property regulated in article 103 of the Constitution of the Republic of El Salvador.

On the other hand, it is necessary that the Legislative Assembly approves the Food and Nutritional Sovereignty Law, as an essential factor for the enjoyment of rights such as health and decent living, among others.

- The Salvadoran Institute for the Development of Women (ISDEMU), as the governing body of public policies that benefit women, must strengthen the mainstreaming of the gender-based approach in the follow-up and monitoring of programs and projects, with the objective of knowing the impact of the measures adopted on the lives of women and men in general. In this way, it will be possible to find out how the conditions of women have improved with respect to men. In any case, to verify if gaps have decreased.
- The Salvadoran Institute for the Development of Women (ISDEMU) must prepare a National Rural Development Policy that contains a specific section for rural women, overcoming the assistance and family-oriented approaches in the programs and projects to be executed.
- The Development Bank of El Salvador (BANDESAL), the Agricultural and Livestock Development Bank (BFA) and the other banking and loan entities of the Salvadoran state must design specialized loans for rural women, adapting the requirements to their socio-economic reality. To that effect, they must get supported from the technical assistance of the Salvadoran Institute for the Development of Women (ISDEMU).
- The formation processes provided by the "*Ciudad Mujer*" program in the area of women's economic empowerment must incorporate training in areas that go beyond the traditional areas where women have been formed (cosmetology, hairdressing, dressmaking, costume jewelry and bakery, among others), in order to expand the opportunities of economic autonomy for women and to overcome the traditional roles assigned to women.
- The Ministry of Education must implement a specialized education system for the rural area with a gender perspective, facilitating access to middle and higher education, decentralizing the educational offer and promoting more flexible strategies of distance education, intensive formation modules, scholarships, etc.
- The Ministry of Agriculture and Livestock, as well as the Ministry of the Environment, must orient investments to the guaranteeing of measures for the conservation, restoration and sustainable use of the natural resources that contribute to the food security, health and welfare of rural population, recognizing that rural development extends beyond agriculture.

- The Salvadoran Institute for the Development of Women (ISDEMU), with support from the General Directorship of Statistics and the Census (DIGESTYC) must strengthen inter-institutional efforts in the carrying out of diagnoses about the use of time, to make reproductive, domestic and care work visible, as well as to adopt public policies that are necessary to guarantee equality and non-discrimination to women in their different autonomies.
- The institutions responsible for ensuring the rights of girls and adolescents should notice the high rates of pregnancies reported by the Ministry of Health and take appropriate action to avoid impunity, punish violators and restore their rights to them.