











# El Salvador

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>82.5</b>	<b>42.5</b>	<b>31.3</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For El Salvador, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (San Salvador). The scores for El Salvador are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	100.0	100.0	50.0	75.0	75.0	100.0	75.0	75.0	100.0	75.0
WBL 2.0 Supportive frameworks score	75.0	100.0	0.0	50.0	66.7	33.3	0.0	66.7	33.3	0.0
WBL 2.0 Expert opinions score	0.0	50.0	25.0	25.0	50.0	50.0	25.0	37.5	25.0	25.0

In summary, the **WBL 2.0 legal frameworks score** for El Salvador (82.5 out of 100.0) is higher than the global average (64.2) and higher than the Latin America & Caribbean regional average (69.1). When it comes to laws affecting women’s safety, constraints on freedom of movement, laws affecting women’s work after having children and laws affecting women’s property and inheritance, El Salvador obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for El Salvador is on the indicator measuring laws affecting women’s decisions to work. To improve on the Workplace indicator, El Salvador may wish to consider prohibiting discrimination in recruitment based on marital status, parental status, and age and allowing employees to request flexible work.

The **WBL 2.0 supportive frameworks score** for El Salvador (42.5 out of 100.0) is higher than the global average (39.5) and higher than the Latin America & Caribbean regional average (38.6). When it comes to supportive frameworks affecting freedom of movement, El Salvador obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for El Salvador is on the indicator measuring supportive frameworks affecting women’s decisions to work. To improve on

the Workplace indicator, El Salvador may wish to consider publishing guidelines on non-discrimination based on gender in recruitment, publishing guidelines on flexible work arrangements and establishing a specialized body that receives complaints about gender discrimination in employment.

The **WBL 2.0 expert opinions score** for El Salvador (31.3 out of 100.0) is lower than the global average (65.7) and lower than the Latin America & Caribbean regional average (61.8). El Salvador does not attain a perfect score on any of the WBL 2.0 expert opinion indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for El Salvador is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Does the law address child marriage?	Yes	Código de Familia, Arts. 14, 20 y 90(4)
Does the law address sexual harassment?	Yes	Código Penal, Art. 165; Ley General de Prevención de Riesgos en Lugares de Trabajo, Art. 7; Ley de la Carrera Docente, Art. 56(19); Ley Especial Integral para Una Vida Libre de Violencia, Arts. 49 y 55; Ley Especial Contra Delitos Informáticos y Conexos, Arts. 26 y 27
Does the law address domestic violence?	Yes	Ley Contra la Violencia Intrafamiliar, Arts. 3(a)(b)(c)(d), 7 y 9; Ley Especial Integral para una Vida Libre de Violencia para las Mujeres, Arts. 8(k), 9(c)(d)(f), 46(c), 53, 54 y Art. 57(k); Código Penal, Arts. 31, 129(1), 158, 162(1)(7) y 200
Does the law address femicide?	Yes	Ley Especial para una Vida Libre de Violencia para la Mujer, Arts. 45 y 46
<b>Mobility</b>		
Can a woman choose where to live in the same way as a man?	Yes	Código de Familia, Art. 37
Can a woman travel internationally in the same way as a man?	Yes	Ley de expedición y revalidación de pasaportes, Arts. 20, 21 y 24
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Constitución de la República de El Salvador, Art. 90(2) y 92(4)
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Código del Trabajo, Art. 30(12);
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Código de Familia, Art. 36(1)
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Código de Familia, Arts. 104-111
Does a woman have the same rights to remarry as a man?	No	Código de Familia, Arts. 17, 23(5) y 115(1)

<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Código del Trabajo, Art. 309
Are leave benefits for mothers paid solely by the government?	Yes	Ley del Seguro Social, Arts. 100
Is paid leave available to fathers?	Yes	Código del Trabajo, Art. 29(6)(4)
Is dismissal of pregnant workers prohibited?	Yes	Código del Trabajo, Art. 113
<b>Childcare</b>		
Does the law establish the provision of center-based childcare services?	Yes	Ley General de Educacion, Art. 16; Ley Crecer Juntos, Arts. 8, 136-138, 143 y 144
Does the law establish any form of support for families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support for nonstate childcare providers?	Yes	Ley Crecer Juntos, Art. 142; Ley de Impuesto sobre la Renta de 1992, Art. 32(1)
Does the law establish quality standards for the provision of center-based childcare services?	Yes	Norma Técnica para la Instalación y Funcionamiento de Centros de Atención a Primera Infancia, Arts. 2, 15, 132 y 138
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in access to credit based on gender?	Yes	Ley de protección al consumidor, Arts. 3, 18(e) y 19-21
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Ley de Compras Públicas, Art. 32(d)
<b>Assets</b>		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Código de Familia, Art. 70
Do sons and daughters have equal rights to inherit assets?	Yes	Código Civil, Arts. 983 y 988(1)
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Arts. 983 y 988
Does the law provide for the valuation of nonmonetary contributions?	Yes	Código de Familia, Arts. 38 y 42
<b>Pension</b>		
Are the ages at which a woman and a man can retire with full pension benefits the same?	No	Ley del Sistema de Ahorro para Pensiones, Art. 104
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Ley del Sistema de Ahorro para Pensiones, Art. 14

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Estrategia Nacional Intersectorial de Prevención del Embarazo en Niñas y en Adolescentes 2017-2027; Iniciativa para un Transporte Público Seguro (ITPS); Línea gratuita 126; Plataforma virtual para dar atención psicológica y legal; Módulos de atención "Ciudad Mujer"
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	Instituto Salvadoreño para el Desarrollo de la Mujer (ISDEMU)

Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	Presupuesto ISDEMU 2023
<b>Mobility</b>		
Are passport application processes the same for a woman and a man?	Yes	Procedimientos de solicitud de pasaporte
Are the application processes for official identity documents the same for a woman and a man?	Yes	Requisitos para tramitar documento único de identificación (DUI)
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	Yes	Politica Metropolitana de Movilidad Urbana 2020-2025
<b>Workplace</b>		
Does a specialized body receive complaints about gender discrimination in employment?	No	Insufficient evidence located
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
<b>Pay</b>		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	No	Insufficient evidence located
Have sex-disaggregated data on employment in different industries or sectors been published?	Yes	Banco Central de Reserva: Encuesta de hogares de propósitos múltiples
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	Yes	Ley Procesal de Familia, Art. 4; Ley Orgánica Judicial, Art. 15
Is legal aid available for family law disputes?	Yes	Procuraduría General de la República, Unidad de la Familia
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Ley del Seguro Social, Art. 75; Código del Trabajo, Art. 310
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	No	Insufficient evidence located
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	Programa de Empresarialidad Femenina
Does a current national government plan or strategy focus on women's access to financial services?	Yes	Política Nacional de Inclusión Financiera (PNIF) (2021-2024)
<b>Assets</b>		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Codigo de Familia, Art. 70
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located



Have anonymized sex-disaggregated data on property ownership been published? No Insufficient evidence located

**Pension**

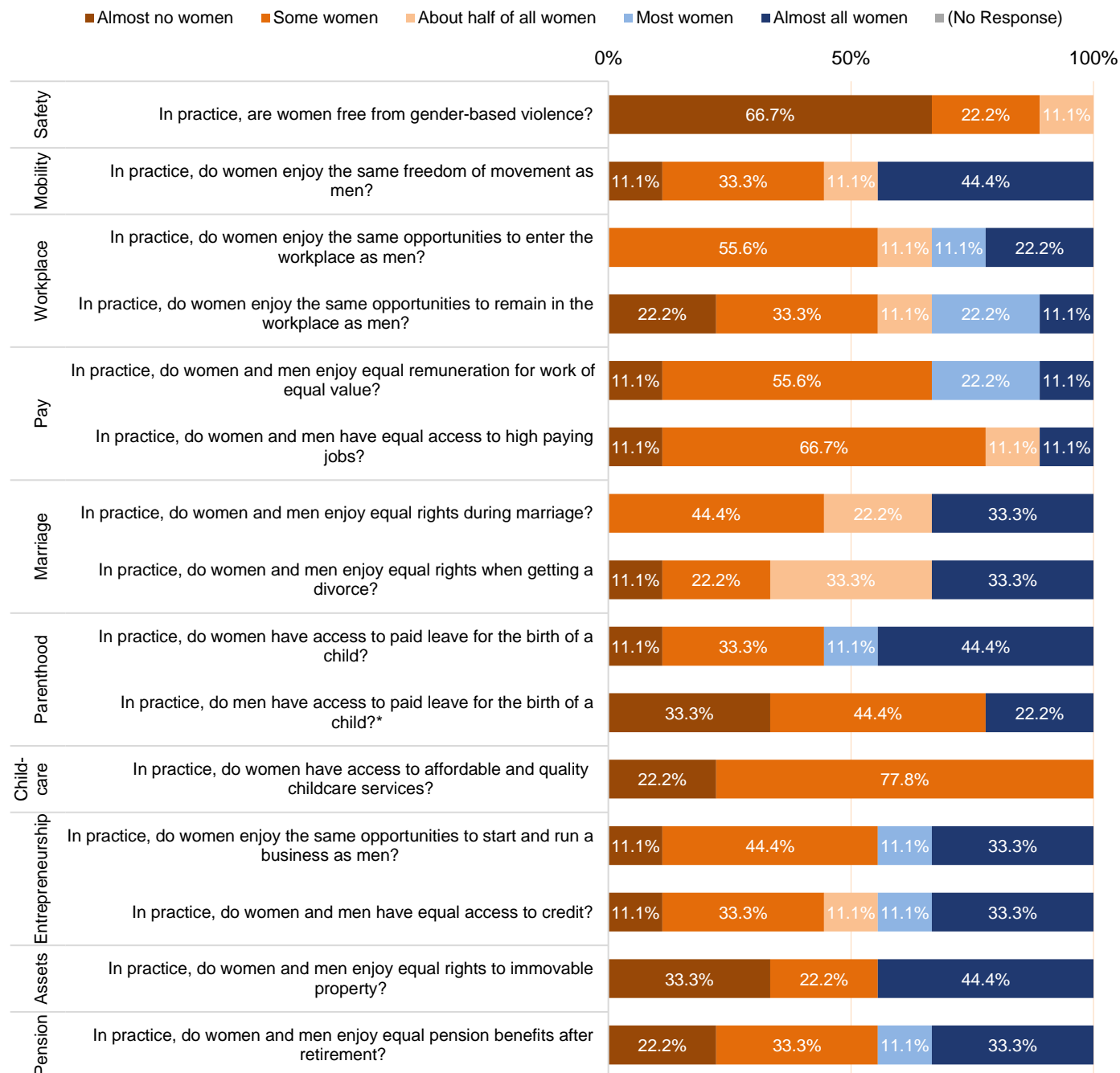
Are incentives in place to increase women's retirement benefits? No Insufficient evidence located

Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits? No Insufficient evidence located

---



## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.