











El Salvador

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
82.5	42.5	31.3

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	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	100.0	100.0	50.0	75.0	75.0	100.0	75.0	75.0	100.0	75.0
Supportive frameworks score	75.0	100.0	0.0	50.0	66.7	33.3	0.0	66.7	33.3	0.0
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
Safety		
Is there legislation on 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
Is there legislation on femicide?	Yes	Ley Especial para una Vida Libre de Violencia para la Mujer, Arts. 45 y 46
Is there comprehensive legislation on 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
Is there legislation on child marriage?	Yes	Código de Familia, Arts. 14, 20 y 90(4)
Mobility		
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 choose where to live in the same way as a man?	Yes	Código de Familia, Art. 37
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Constitución de la República de El Salvador, Art. 90(2) y 92(4)
Workplace		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in employment based on gender?	Yes	Código del Trabajo, Art. 30(12);
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
Pay		
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 an industrial job 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
Marriage		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
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 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)

Parenthood		
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 there 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
Childcare		
Does the law establish provision of childcare services in center-based settings?	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 to families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support to non-state 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 childcare services in center-based settings?	Yes	Norma Técnica para la Instalación y Funcionamiento de Centros de Atención a Primera Infancia, Arts. 2, 15, 132 y 138
Entrepreneurship		
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 on 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)
Assets		
Do men and women 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 from their parents?	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
Pension		
Are the ages at which men and women can retire with full pension benefits equal?	No	Ley del Sistema de Ahorro para Pensiones, Art. 104
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	No applicable provisions could be located
Is the mandatory retirement age for men and women equal?	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
Safety		
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 there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	Yes	Instituto Salvadoreño para el Desarrollo de la Mujer (ISDEMU)

Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Presupuesto ISDEMU 2023
Mobility		
Are passport application processes the same for women and men?	Yes	Procedimientos de solicitud de pasaporte
Are the application processes for official identity documents the same for women and men?	Yes	Requisitos para tramitar documento único de identificación (DUI)
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	Yes	Politica Metropolitana de Movilidad Urbana 2020-2025
Workplace		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Is there a specialized body that receives complaints about gender discrimination in employment?	No	Insufficient evidence located
Pay		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Banco Central de Reserva: Encuesta de hogares de propósitos múltiples
Marriage		
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
Parenthood		
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
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
Childcare		
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 non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located
Entrepreneurship		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	No	Insufficient evidence located
Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	Yes	Programa de Empresarialidad Femenina
Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	Política Nacional de Inclusión Financiera (PNIF) (2021-2024)
Assets		
Are there mechanisms or incentives to encourage women to register immovable property?	Yes	Codigo de Familia, Art. 70



Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
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Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
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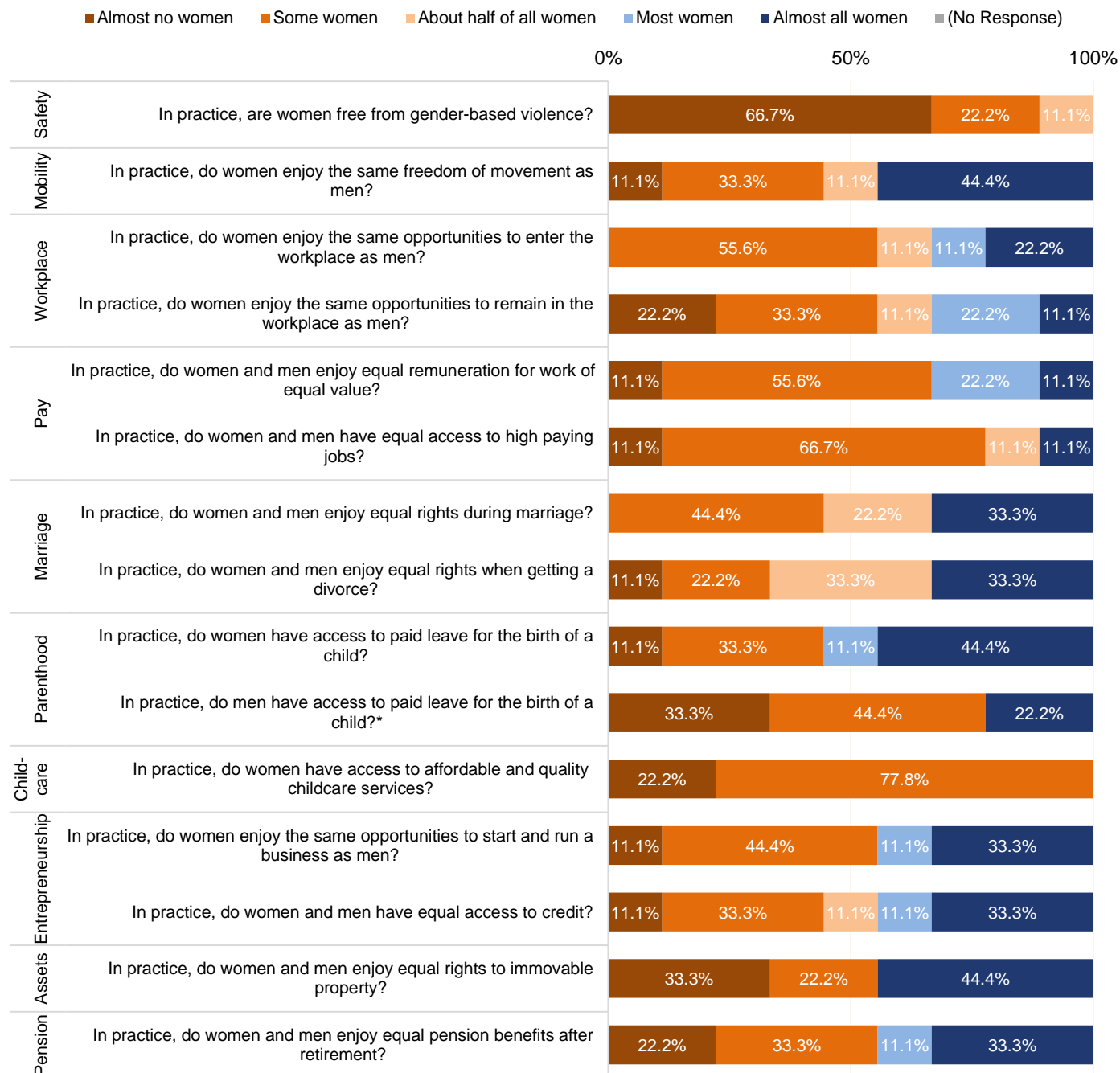
Pension

Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
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Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	No	Insufficient evidence located
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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.