Multisectoral Response and Capacity (MRC) Assessment: El Salvador

For the prevention, attention and investigation of cases of online child sexual exploitation and abuse

FINAL REPORT
MAY 2023
MULTISECTORAL RESPONSE AND CAPACITY (MRC) ASSESSMENT: EL SALVADOR

For the prevention, attention and investigation of cases of Online Child Sexual Exploitation and Abuse.

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National Capacity Building Program

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Table of Contents

Acronyms used in the assessment 4
Technological tools 5
About ICMEC 6
About the MRC assessment 6
Introduction 7
General objective 8
Specific objectives 8
Methodology 8
About the National Model Response. (MNR) 9
Results 12
Policy, Legislation And Governance 12
Capacity 1: Leadership 12
Capacity 2: Legislation 13
Criminal justice 15
Capacity 3: Law enforcement 15
Capacity 4: Judiciary and prosecutors 16
Capacity 5: Offender management 16
Capacity 6: Access to image database 17
Victim support and empowerment 19
Capacity 7: End-to-end support 19
Capacity 8: Child protection personnel 20
Capacity 9: Compensation, remedies and complains arrangements 21
Capacity 10: Children’s helpline 22
Society and Culture 24
Capacity 11: Child sexual exploitation and abuse hotline 24
Capacity 12: Education Programs 24
Capacity 13: Child participation 24
Capacity 14: Offender prevention and support systems 25
Capacity 15: Informed and ethical media reporting 27
Industry 29
Capacity 16: Takedown procedures and reporting 29
Capacity 17: Innovative solutions development 29
Capacity 18: Responsible business conduct 30
Research and data 32
Capacity 19: Research & Data 32
Capacity 20: Universally agreed terminology 32
Recommendations 34
Policy, Legislation And Governance 34
Criminal justice 35
Victim support and empowerment 36
Society and Culture 37
Industry 38
Research and data 39
Conclusions 40
ACRONYMS USED IN THE ASSESSMENT

CSEA: Child Sexual Exploitation and Abuse
APES: Association of Journalists of El Salvador
DICT: Transnational Criminal Investigation Division
CCNA: Advisory Council on Children
CONAPINA: National Council for Early Childhood, Childhood and Adolescence
CONNA: National Council for Childhood and Adolescence
CSAM: Child Sexual Abuse Material
FGR: Attorney General's Office
HSI: Homeland Security Investigations
ISNA: Salvadoran Institute for the Integral Development of Children and Adolescents
ISP: Internet Service Provider
ICMEC: International Centre for Missing and Exploited Children
ICSE: International Child Sexual Exploitation Database
INTERPOL: International Police
JPNA: Child and Adolescent Protection Boards
LEPINA: Law for the Comprehensive Protection of Children and Adolescents
LPJ: Juvenile Criminal Law
MINEDUCYT: Ministry of Education, Science and Technology
MNR: Model National Response
MRC: Multisectoral Response Capacity.
NCMEC: National Centre for Missing and Exploited Children
OCSEA: Online Child Sexual Exploitation and Abuse
PNC: National Civil Police
PNPNA: National Policy on the Protection of Children
SIGET: General Superintendence of Electricity and Telecommunications
ITC: Information Technologies and Communication
UAEMNA: Unit of Specialized Attention for Women and Children
TECHNOLOGICAL TOOLS

**CPS:** Child Protection System. Software for investigations in P2P networks.

**DVD Examiner from DME Provider:** enables investigators to retrieve video evidence and metadata from digital video recorder (DVR) systems in a robust forensic manner.

**MSAB:** is the world’s leading software company in forensic technology for the examination and analysis of mobile devices.

**VIC Project:** is a non-profit organization that identifies and rescues children from sexual exploitation and abuse. The VIC Project advocates for a transformation in the approach to child exploitation research through the development of innovative technologies and victim-centered methodologies. It is a coalition of law enforcement and private sector partners providing solutions to real-world challenges.

**UFED 4PC:** Cellebrite’s mobile device forensics software solution. It is a suite of applications used by investigative or intelligence personnel, providing its users with full physical, logical and file system extraction capabilities.

**XRY:** powerful, intuitive and efficient mobile data recovery software application that runs on the Windows operating system. Enables more high-quality data to be safely extracted in less time, while maintaining the integrity of the evidence.

**XRY Cloud:** retrieves data beyond the mobile device itself from cloud-connected storage, using tokens on mobile devices that allow applications to function without the need for users to re-enter their login details.
ABOUT ICMEC

The International Center for Missing and Exploited Children (ICMEC) is a non-governmental organization founded in 1999, headquartered in the United States and with representation offices in Australia, Brazil, Colombia, El Salvador, Guatemala, Honduras, India, Kenya, Singapore and the United Kingdom.

It has worked in more than 120 countries to identify gaps in national and international capacities for the protection of the rights of children, and to gather the necessary tools to narrow those gaps.

ICMEC envisions a world in which children can grow up safe from sexual exploitation and abuse, and from the risk of disappearing. Therefore, our mission is to empower the global community (governments, law enforcement, legislators, industry, civil society, educators, health professionals, etc.) with the tools, knowledge and technology to create a safer world for children.

ABOUT THE MRC ASSESSMENT

Due to the advance of Information and Communications Technologies (ICT), our society has experienced accelerated changes, such as the Fourth Industrial Revolution, the Knowledge Society, the Internet of Things, among others. Although these advances are positive for the development of societies, they also imply the existence of risks that endanger vulnerable populations, such as children.

Over the years, and as a consequence of the COVID-19 pandemic, children have had greater access to the Internet, ICT and various forms of online interaction, leaving them exposed to crimes such as Online Child Sexual Exploitation and Abuse (OCSEA).

For this reason, ICMEC's National Capacity Building Program created the Assessment of Multisectoral Response and Capacity (MRC) in 2020, using the Model National Response (MNR) of the WeProtect Global Alliance as a framework, since it is essential to know the national capacities and gaps in terms of prevention, attention and investigation of OCSEA cases.
INTRODUCTION

At the 2015 Abu-Dhabi Summit, governments and organizations agreed to establish a coordinated response model in their countries to address online child sexual exploitation, guided by the Model National Response (MNR) of the WeProtect Global Alliance.

The Model National Response (MNR) includes a total of 20 capacities to guide, establish and implement a response to Online Child Sexual Exploitation and Abuse (OCSEA). The MNR is not a tool for evaluating each country’s capabilities or progress, but rather for documenting the various national responses and identifying examples of good practice.

For ICMEC, the MNR is a useful framework for identifying the gaps, challenges and needs of each country. In this context, ICMEC is conducting the Multisectoral Assessment of Responses and Capacities (MRC), for the prevention, attention and investigation of online child sexual exploitation and abuse cases in El Salvador 2022, in order to identify the gaps at the national level and contribute to their reduction through strengthening and building capacities.

It is worth highlighting the importance of the MRC Assessment, as it is the first of its kind in El Salvador, given that the OCSEA phenomenon has been barely studied. Hence the relevance of this assessment, since in addition to analyzing national response capacities, it will make visible a growing criminal phenomenon in El Salvador - and in the world - and will highlight the importance of preventing, investigating, caring for and protecting children from new forms of sexual abuse and exploitation.

Therefore, this assessment presents a series of FINDINGS identified in light of the analysis of the 20 capacities of the MNR model in El Salvador. It is important to highlight the participatory methodology of this study, since, in addition to the documentary review, the information was collected through e-forms and interviews with stakeholders from public, private and civil society institutions.

The FINDINGS do not represent an evaluation per se of the country, and the recommendations, although not binding, are concrete proposals for improvements that can be made through effective coordination between different sectors, the government and its agencies, and other entities involved in the protection of Salvadoran children.
GENERAL OBJECTIVE:

• Develop a study to guide the construction of a strategic, national and intersectoral plan that allows the Salvadoran government, and other relevant actors including ICMEC, the consolidation and strengthening of an effective National Response Model to combat online sexual abuse and exploitation of Salvadoran children.

SPECIFIC OBJECTIVES:

• Identify gaps in national response capacities for the prevention, investigation and assistance to victims of online child sexual exploitation and abuse in El Salvador, as outlined in the Model National Response of the WeProtect Global Alliance.

• Determine actions and opportunities to create or strengthen national response capacities in order to reduce or eliminate the gaps identified in El Salvador.

• Provide inputs for the development of an intersectoral work plan for the construction of a coordinated national response that guarantees the prevention, combating, investigation and care of abused and sexually exploited children online.

METHODOLOGY

First, we reviewed the available literature on MRC Assessment in countries such as Colombia. Subsequently, the WeProtect Global Alliance Model National Response and its different capabilities were studied and served as a framework for the analysis. This Model was updated in November 2022, while this assessment was being conducted, leading to the possibility to adapt the final version of this study with the most updated version of the MNR appropriately.

Secondly, and following the recommendations of the step-by-step guide for the construction of the assessment, a series of key actors were identified, belonging to public, private and civil society institutions and organizations, as well as a directory with their contact information.

Thirdly, data collection instruments were designed with specific questions for each stakeholder. In practice, differentiated follow-up mechanisms were created according to the availability and agility of the response of each actor and institution. Some instruments were administered through electronic forms, and others through face-to-face interviews. Instruments were sent to key stakeholders through physical notes and e-mails. Follow-up was made through emails, phone calls and text messages (WhatsApp).

Fourthly, complementary information was collected through consultation of open sources and documentary review of laws, regulations, protocols, reforms, and consultations with other experts. Likewise, the pages on social networks (Facebook and Twitter) of the main State portfolios and institutions belonging to the National System for the Comprehensive Protection of Early Childhood, Children and Adolescents were monitored to learn about their activities and campaigns.

Subsequently, the information collected was analyzed and the report was drafted, revised and adjusted for the presentation of its final version. It is worth highlighting the participatory nature of this study, which was possible thanks to the
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Subsequently, the information collected was analyzed and the report was drafted, revised and adjusted for the presentation of its final version. It is worth highlighting the participatory nature of this study, which was possible thanks to the collaboration and support of various national institutions and stakeholders, such as:

National Council for Children (CONNA); Chamber of Children (San Salvador); Prosecutor Training School; Judicial Training School; Office of the Attorney General of the Republic (FGR); Ministry of Foreign Affairs; Ministry of Health; Ministry of Education, Science and Technology (MINEDUCYT); National Civil Police (PNC); United Nations Office on Drugs and Crime (UNODC); United States Embassy in El Salvador through HSI; businessmen, researchers and communicators who also supported the assessment.

ABOUT THE NATIONAL MODEL RESPONSE. (MNR)

The Model National Response is considered a relevant framework to guide comprehensive national measures and an objective framework since- regardless of political contexts, institutional organization, approaches, technical and financial capacities-, it can be used by any country to identify its gaps or good practices in addressing online child sexual exploitation and abuse cases.

The MNR has also been used as a basis or reference for the development of public policies, guidelines or protocols for a coordinated and multisectoral response, considering local needs and the socio-political context of each country. In this sense, the MNR is a framework and an analysis tool that helps countries identify their gaps and good practices through the study and analysis of the application or existence of 20 specific capabilities, described in the following infographic.
# Preventing and Addressing Child Abuse and Sexual Exploitation (Children)

## A National Response Model (NRM)

### Capabilities

<table>
<thead>
<tr>
<th>Politics, Legislation and Governance</th>
<th>Criminal Justice</th>
<th>Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 LEADERSHIP</td>
<td>3 LAW ENFORCEMENT (SPECIFIC LAW ENFORCEMENT AGENCIES)</td>
<td>7 END-TO-END SUPPORT</td>
</tr>
<tr>
<td>An accountable national cross-sectoral body with a clear mandate and resources to protect children and adolescents from online sexual exploitation and abuse, and the willingness to collaborate at the international level.</td>
<td>Technical and human skills to investigate child sexual abuse online and offline, including cross-border cases.</td>
<td>Support victims in a planned and integrated manner. Support services are inclusive and sensitive to age, gender, sexuality, disability, and ethnicity. In addition, psychological support is provided through law enforcement to frontline workers accessing image databases, child protection workforce and hotlines.</td>
</tr>
<tr>
<td>2 LEGISLATION</td>
<td>4 JUDICIAL SYSTEM AND ATTORNEY GENERAL’S OFFICE</td>
<td>8 CHILD PROTECTION PERSONNEL</td>
</tr>
<tr>
<td>A comprehensive and effective legal framework to prosecute offenders and protect children from all forms of sexual abuse and exploitation, in accordance with international human rights standards. In addition, legal provisions should be in place to protect children from being criminalized for participating in the exchange of self-produced child abuse and sexual exploitation material.</td>
<td>Specialized training in child sexual exploitation and abuse and technology-facilitated crime. Protocols adapted to children and with a victim-centered approach.</td>
<td>Specialized, qualified and trained staff coordinated and available to provide trauma-informed support to protect and support children at risk of online sexual abuse and exploitation, and guidelines for frontline professionals on emerging and complex issues, such as: “self-generated” child sexual exploitation material.</td>
</tr>
<tr>
<td>5 OFFENDER MANAGEMENT</td>
<td>6 ACCESS TO IMAGE DATABASE</td>
<td>9 INDEMNIFICATION AGREEMENTS, CORRECTIVE MEASURES AND CLAIMS</td>
</tr>
<tr>
<td>Inter-institutional system to identify, manage and rehabilitate sex offenders, and legal tools (rehabilitation and education programs, community supervision).</td>
<td>National database with access to the INTERPOL ICSE database for international collaboration, supported by alignment with the terminology for categorization of Child Sexual Abuse Material.</td>
<td>Provide measures to enable children and victims to receive accessible support in compensation, legal remedies and grievance procedures.</td>
</tr>
<tr>
<td>7 END-TO-END SUPPORT</td>
<td>10 CHILDREN’S HELPLINE</td>
<td></td>
</tr>
<tr>
<td>Support victims and survivors in a planned and integrated manner. Support services are inclusive and sensitive to age, gender, sexuality, disability, and ethnicity. In addition, psychological support is provided through law enforcement to frontline workers accessing image databases, child protection workforce and hotlines.</td>
<td>24/7 helpline available that offers advice and interpretation in person and via video. In addition, robust data protection systems and operators with specific training in online damages must be in place.</td>
<td></td>
</tr>
</tbody>
</table>

### Outcomes

<table>
<thead>
<tr>
<th>Politics, Legislation and Governance</th>
<th>Criminal Justice</th>
<th>Victims</th>
</tr>
</thead>
<tbody>
<tr>
<td>National commitment at the highest level to prevent and respond to child sexual abuse.</td>
<td>Comprehensive understanding of child sexual abuse within the highest levels of government and law enforcement.</td>
<td>Effective and successful investigations, sentencing and offender management.</td>
</tr>
<tr>
<td>Willingness to work with and coordinate multi-stakeholder efforts to ensure greater protection of victims and improve the response to crimes of child sexual abuse.</td>
<td>Law enforcement and the judiciary have the knowledge, skills, systems, and tools necessary to enable them to conduct victim-focused investigations and ensure positive judicial outcomes.</td>
<td>Management of sex offenders and prevention of recidivism.</td>
</tr>
</tbody>
</table>

### Additional Information

Children have access to support services through investigation and prosecution of crimes against them. They have access to shelters; specialized medical and psychological services; and rehabilitation, repatriation and resocialization services.
Sexual abuse of children is prevented
Children are informed and empowered to protect themselves from child sexual abuse. Parents, caregivers, teachers and child care professionals are well prepared to keep children safe from child sexual abuse, and to address the taboos surrounding sexual abuse.

Industry committed to developing solutions to prevent and address child sexual abuse.
The public can proactively report child sexual abuse.
The industry has the power and will to block and remove child online sexual exploitation material and proactively address local child sexual abuse issues.

Raising awareness on the public, practitioners and policy makers
Potential future offenders are deterred.
Reduced crime and recidivism in cases of child abuse and sexual exploitation.

Multidisciplinary and intersectoral collaboration.
Willingness to prosecute, Functional justice system and rule of law.
Favorable context for reporting.
Public and professionals with awareness and solidarity, working with and for children.
Sufficient financial and human resources.
Data and evidence on child abuse and sexual exploitation.
RESULTS

POLICY, LEGISLATION AND GOVERNANCE

The policy, legislation and governance sector referred to by the MNR implies the existence of:
• National commitment at the highest level to prevent and respond to child sexual abuse.
• Comprehensive understanding of child sexual abuse within the highest levels of government and law enforcement.
• Willingness to work with and coordinate multi-stakeholder efforts to ensure greater protection of victims and improve the response to crimes of child sexual abuse.

CAPACITY 1: LEADERSHIP

An accountable national cross-sectoral body with a clear mandate and resources to protect children from online sexual exploitation and abuse, and the willingness to collaborate at the international level

FINDINGS

• The National Council for Children and Adolescents (CONNA) was the governing body for children and adolescents, and was responsible for drafting the National Policy for the Protection of Children and Adolescents (PNPNA), as well as specialized policies and plans. CONNA was also the institution in charge of coordinating and articulating the institutions that make up the National Comprehensive Protection System.

• The Salvadoran Institute for the Integral Development of Children and Adolescents (ISNA), was the pioneer governmental institution in implementing innovative programs and services that contributed to guarantee the full enjoyment and fulfillment of the rights of children in El Salvador.

• As of the Decree of the Growing Together Law for the Comprehensive Protection of Early Childhood, Childhood and Adolescence, hereinafter Growing Together Law (Ley Crecer Juntos, in Spanish), the CONNA and the ISNA were dissolved and the National Council for Early Childhood, Childhood and Adolescence, hereinafter CONAPINA, was created. As of January 2023, CONAPINA is in charge of the comprehensive protection of the rights of children, and its main functions are: the effective defense of the rights of children; the coordination of the National Comprehensive Protection System; and the formulation and evaluation of the National Policy.

• In addition, the Growing Together Institute was created - a benchmark in early childhood, with emphasis on the care of children from gestation to four years of age, which will also be part of the National Protection System.

• As of January 2023, CONNA and ISNA merged to create CONAPINA. In practice, it is not known how the merger, transformation and execution of its operations and services will be carried out.

• The National System for the Comprehensive Protection of Early Childhood, Childhood and Adolescence, also called “Comprehensive Protection System”, is the coordinated and articulated set of bodies, entities or institutions, public and private, whose main objective is to guarantee the full enjoyment of the rights of Early Childhood, Childhood and Adolescence.

1 Growing Together Act. Art. 289
2 Growing Together Act. Art. 152
3 Growing Together Act. Art. 175
• On the other hand, the General Superintendence of Electricity and Telecommunications (SIGET), is the state entity that regulates and supervises the electricity and telecommunications sectors, and monitors the technological evolution of the regulated sectors for the benefit of users and their safety. In this regard, SIGET regulates the actions of Internet Service Providers (ISP) in El Salvador.

• In November 2022, the Legislative Assembly approved the amendments to the **Special Law for the Intervention of Telecommunications**. These reforms were prompted by the evolution of criminality as a result of the emergence of new technological tools. Among the reforms made is the amendment to article 5, which reads as follows: "Art.5 only the power of intervention provided for in this Law may be used in the investigation and prosecution of the following crimes: 4) pornography, use of persons under eighteen years of age and incapable or mentally deficient persons in pornography and possession of pornography; 9) trade in persons, illegal trafficking in persons, trafficking in persons and its aggravated form; 15) the crimes contemplated in the Special Law against Computer Crimes and related crimes, committed under the modality of organized crime".

• Regarding the investigation of online child sexual exploitation and abuse, the National Civil Police (PNC) has the Computer Crimes Unit (known as Cybercrime Office) and the Attorney General's Office (FGR) has the Deputy Prosecutor's Office for Women, Childhood and Adolescence, where there is the Specialized

**CAPACITY 2: LEGISLATION**

A comprehensive and effective legal framework to prosecute offenders and protect children from all forms of sexual abuse and exploitation, in accordance with international human rights standards. In addition, legal provisions should be in place to protect children from being criminalized for participating in the exchange of self-produced Child Sexual Abuse Material (CSAM).


• Furthermore, the new **Growing Together Act** establishes that the State is committed to the principle of progressivity in the comprehensive protection approach for Early Childhood, childhood and adolescence, which is why it has considered the specific observations for the country by the Committee on the Rights of the Child of the United Nations, the body that interprets and monitors the implementation of the Convention on the Rights of the Child, which in 2018 recommended some legislative improvements in the area.

• The **Criminal Code** (art. 172-173), the Growing Together Law (art. 78 and 102), the reforms to the **Special Law for the Intervention of Telecommunications** (Art. 5), and the reforms to the **Special Law against Computer and Related Crimes** (Art. 28 A, 28 B and 28C), refer to the crimes and/or terms "pornography", "pornographic content", "seduction", "Exchange of messages with sexual content with children", and "sexual extortion".

• El Salvador is developing policies, plans and strategies in favor of children, including the fight against sexual exploitation and violence. These include:


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5 Seduction of children or persons with disabilities by means of information and communication technologies. Art. 28-A- Whoever by means of the use of Information and Communication Technologies establishes or enters into a relationship with a child or person with disabilities, with the purpose of sustaining a sexual contact, by means of such technologies, or in person, shall be punished with imprisonment of one to three years.

6 Exchange of messages of sexual content with children or persons with disabilities through information and communication technologies. Art. 28-B- Whoever by means of the use of Information and Communication Technologies sends, requests, exchanges or transmits with a child or person with disabilities, audios, images or videos of sexual or sexually explicit content, real or simulated, shall be punished with imprisonment of two to four years.

7 Sexual extortion of children or persons with disabilities by means of information and communication technologies. Art. 28-C- Whoever forces, blackmails, threatens or coerces a child or disabled person to send, forward or transmit audios, images or videos of sexually explicit content, real or
GAPS IN THE POLICY, LEGISLATION AND GOVERNANCE SECTOR

- There is a strong institutional framework and legislation for the protection of the rights of children in El Salvador. Despite this, the leadership and emphasis on OCSEA is weak, so it is necessary to raise awareness of the seriousness of the phenomenon and sensitize decision-makers at the highest level.

- Currently, the PNPNA includes guidelines for the protection of children in all environments and settings in which this population operates, although there is no specific section focused on the protection of children in the digital environment.

- The "Growing Together Act" states that it is the State's responsibility in the area of education to include in the curriculum content related to the appropriate use of new information and communication technologies, the use of the digital environment and non-discrimination, among other things. However, it is not known whether the new law will promote programs or educational content that address sexual and reproductive education and its relationship with the use of new technologies, as well as their potential risks.

- Salvadoran legislation does not consider in all its instruments the terminological guidelines for the protection of children against sexual exploitation and abuse, popularly known as Luxembourg Guidelines. Therefore, in practice, a revictimizing and inappropriate language continues to be used within the framework of human rights and the rights of children.

- The recent creation of the Growing Together Act (2022), CONAPINA (2023) and the Growing Together Institute (2023) represents a gap for this assessment, as it is not possible to observe and follow up on their leadership, functioning, performance, and service delivery.

- Alliances with leading international organizations in preventing and investigating OCSEA are needed for international experts to share lessons learned, tools, best practices and knowledge with El Salvador's legislators and law enforcement.
CRIMINAL JUSTICE

The criminal justice sector referred to in the MNR requires the existence of:
- Effective and successful investigations, sentencing and offender management.
- Law enforcement and the judiciary with the knowledge, skills, systems and tools necessary to conduct victim-centered investigations and ensure positive judicial outcomes.
- Management of sex offenders and prevention of recidivism.

CAPACITY 3: LAW ENFORCEMENT

Technical and human skills to investigate child sexual abuse online and offline, including cross-border cases. In addition, law enforcement agencies should receive trauma training and coordinate with agencies that provide victim support services.

FINDINGS

- The National Civil Police (PNC) and the Attorney General’s Office (FGR) are the institutions responsible for investigating online and offline child sexual exploitation and abuse in El Salvador. In case of suspicion of abuse and exploitation, any person can report or file a complaint with these agencies and with the Protection Boards, which are present in each of the 14 Departments of the country.

- Internally, in the PNC, reports must be submitted to the Central Investigations Division and the Computer Crimes Unit. The FGR also has the Deputy Attorney’s Office for Women, Childhood and Adolescence, which has specialized units such as the Specialized Attention Unit for Women, Childhood and Adolescence (UAEMNA).

- The National Center for Missing and Exploited Children (NCMEC) platform is accessible to the U.S. Embassy in El Salvador through the Department of Homeland Security Investigations (HSI), and the Salvadoran authorities have access to the PNC through the Computer Crimes Unit and the Transnational Criminal Investigation Division (DICT). According to Embassy sources, the FGR will soon have access.

- NCMEC's CyberTipline reports are periodically reviewed by HSI; they make an assessment of the information according to Salvadoran legislation, once the cases are selected they proceed to the translation into Spanish for each report, it is then forwarded to the Computer Crime Unit or the DICT, and they then forward the case to FGR.

- In 2022, HSI received 1442 reports from NCMEC in El Salvador.

- Investigators are prosecutors, trained in legal sciences, and police analysts. In the Computer Crime Unit, the investigators (9 people) are police officers with computer science backgrounds. The personnel have received training in cybercrime and "digital forensics" from international entities and organizations.

- The Cybercrime Unit does not have sufficient technical and technological tools to carry out its investigations, only office computer equipment. On the other hand, one person in the Cybercrime Unit has access to CPS for the whole country; they also have the UFED 4PC license from the vendor Cellebrite, XRY Cloud and XRY licenses for logical and physical extractions from the vendor MSAB.

- The National Public Security Academy (ANSP) does not have specialized educational programs on the protection of children from online sexual exploitation and abuse. It should be noted that, on occasion, the National Civil Police (Prevention Department) gives talks in schools on violence prevention in general.
CAPACITY 4: JUDICIARY AND PROSECUTORS

Specialized training in child abuse and sexual exploitation, and technology-facilitated crimes, as well as protocols adapted to children and with a victim-centered approach.

FINDINGS

- For the investigation of CSEA crimes, there are Specialized Attention Units for Women and Children in the Attorney General's Office.
- The judiciary does not have specialized courts to hear crimes related to human trafficking and child sexual exploitation and abuse as a modality of human trafficking specifically. However, there are instances called Specialized Chambers for Children and the Second and Third Specialized Courts for Children.
- The judiciary lacks a clear understanding of the circumstances in which child abuse and sexual exploitation cases may occur, the vulnerability of victims, and the methodologies and profiles of online and offline aggressors, so sources from the Deputy Prosecutor's Office say that such training for judges and prosecutors is urgently needed.
- At the Prosecutor's Office level, the Prosecutor Training School conducts courses for the training of prosecutors in cybercrime investigation, but they claim that specialized and in-depth training is needed about OCSEA.
- As for technological tools that allow interviewing children and adolescents in criminal proceedings and in Salvadoran courts, there is the Gesell Camera to avoid the re-victimization of children.
- Regarding support or referral networks for children, their parents, guardians, or caregivers, the FGR has Attention Routes for victims, in which there are psychologists offering due follow-up to the victims. On a recurring basis, the FGR requests support from the Protection Boards for psychological intervention for child victims, or for their parents or caregivers.
- In December 2021, the Legislative Assembly approved an amendment to the Special Law Against Computer and Related Crimes, which establishes in its article 35 A that both the PNC and the FGR, must ensure that the investigation personnel and auxiliary prosecutors have the necessary knowledge and constant updating to carry out their duties and combat computer crimes; and in its art. 35 B, it establishes that the PNC and the FGR may have Units for the Scientific Investigation of Computer Crimes, Processing and Analysis of Digital Evidence, which allow for the performance of computer forensic audits.

CAPACITY 5: OFFENDER MANAGEMENT

To have an inter-institutional system to identify, manage and rehabilitate sex offenders, and legal tools (rehabilitation and education programs, community supervision).

FINDINGS

- El Salvador lacks a registry of child sex offenders. There is a database of cases in general, including sexual offenses. PNC investigators have access to this database.
- Neither the PNC nor the FGR have a program for the prevention of action and recidivism of sex offenders. For its part, the General Regulation of the Penitentiary Law establishes the existence of Specialized Programs for sex offenders, if the penitentiary administration disburses funds for this purpose. However, no response was obtained from the Directorate of Penitentiary Centers to verify the allocation of funds for these specialized programs.
- The FGR does not have specific research on the profile of child sex offenders (online and offline). For its part, the PNC investigates the cases reported by INTERPOL and NCMEC, but does not study or go deeper into the profile of the aggressor; therefore, there are no published investigations on such profiles.
CAPACITY 6: ACCESS TO IMAGE DATABASE

National base with access to the INTERPOL ICSE database for international collaboration, supported by alignment with the terminology for categorization of Child Sexual Abuse Material.

FINDINGS

- The FGR does not have access to INTERPOL’s ICSE database, but the PNC does. However, due to the limited staff of the Cybercrime Unit, the database is not being used, so it is necessary to reactivate the users and coordinate training.

- Neither the FGR nor the PNC has a national image database or hash of OCSEA and CSAM.

GAPS IN THE CRIMINAL JUSTICE SECTOR

- In Salvadoran higher education institutions, there are no academic options or specializations in cybercrime. Nor at the College of Higher Strategic Studies. Therefore, the training that police, investigators, prosecutors and other law enforcement agencies have received in this area, has been obtained abroad or thanks to projects of international entities operating in El Salvador, such as the United Nations Office on Drugs and Crime (UNODC), ICMEC, UNICEF, or by ILEA San Salvador (International Law Enforcement) and the Embassy of the United States.

- The Cybercrime Unit of the National Civil Police has few personnel certified as digital forensic experts, due to the high cost of the training process abroad, since this academic offer is not available in the country. In addition to the above, it also faces a brain drain of trained personnel.

- In discussions with Prosecutors, they have commented that in some cases, investigations into OCSEA, and cybercrime in general, are shelved because analysts and investigators cannot manage and extract the digital evidence that the Prosecutor needs to consolidate the case. Most investigators and prosecutors are unaware of the mechanisms for conducting investigations into cyber-facilitated and/or cyber-dependent crimes.

- The FGR has a UFED 4PC license from the vendor Cellebrite®, but they have expired. PNC does not have a DVR Examiner license from the vendor DME Forensics, nor does it have access to the VIC Project.

- The FGR does not have access to the VIC Project nor to Interpol’s ICSE database nor to NCMEC.

- The Cybercrime Unit of the National Civil Police is understaffed. In addition, the socio-political context of the year 2022 forced law enforcement to focus on the exception regime, prioritizing the investigation and capture of gang members and gang-related criminal structures. Therefore, the Cybercrime Unit, despite having access to the ICSE and NCMEC database, is not investigating the majority of OCSEA cases reported through these platforms.

- Although the Prosecutor Training School conducts courses for the training of prosecutors in the investigation of Cybercrimes, there is no permanent and institutionalized training module on the investigation of OCSEA, nor on other crimes such as grooming or sextortion, or CSAM, despite having been incorporated in the recent reforms to the Special Law against Computer and Related Crimes.

- ICT-facilitated crime demands prosecutors and investigators with specific skills and knowledge for the collection and extraction of digital evidence. The lack of
training for judges, prosecutors, and investigators on OCSEA and its proper investigation sometimes leads to cases being filed without resolution due to the lack of solid evidence.

- An important gap for this sector is the lack of professional and certified human resources; tools and technologies; and financial resources to adequately equip the offices responsible for child online abuse and sexual exploitation research in El Salvador.
The Victims sector of the MNR requires:

- Appropriate support services for children, such as access to shelters; specialized medical and psychological services; and rehabilitation, repatriation and resocialization services.

**CAPACITY 7: END-TO-END SUPPORT**

Support victims and survivors in a planned and integrated manner. Support services are inclusive and sensitive to age, gender, sexuality, disability, and ethnicity. In addition, psychological support is provided through law enforcement to frontline workers accessing image databases, child protection workforce and hotlines.

**FINDINGS**

- The FGR has a "Protocol for Legal and Psychosocial Attention for people facing violence, with emphasis on children, women and other vulnerable populations". This protocol contains a Legal and Psychosocial Care Model that includes: initial care, legal care, psychological care, social work care, medical care and recreational care in cases of children.
- The Salvadoran State has at least three specialized care programs for child victims of abuse or sexual exploitation. These programs are:
  - **Foster care program**: children who have been violated and who have family resources to assume care and protection (family foster care) or who cannot be in the family (instititutional foster care) are admitted to this program.
  - **“Change your Life” Program**: aims to give continuity to the life project of children who are victims of sexual violence, through care aimed at their integration into social and productive life under conditions of equal rights, opportunities and capabilities that allow them to develop as individuals.
  - **Shelter Program in the Regional Shelter for Girls and Adolescent Victims of Human Trafficking**: aims to provide protection and comprehensive care in a safe and reliable space for victims of human trafficking.

- For its part, MINEDUCYT, through the National Directorate of Educational Counseling and Student Development and the Management of Social Risk Prevention, implements the **School Counseling Program** for psychosocial care and legal advice to children in educational centers, from a preventive approach, influencing the evolutionary development of children. The main objective of this program is to prevent, protect and restore the rights of children from a perspective of gender equality, human rights and inclusion.

- Regarding processes for the provision of effective remedies and reparations for child abuse and sexual exploitation victims and their guardians or caregivers, in the **Prosecutor’s Action Guide for the investigation of crimes of Commercial Sexual Exploitation of Children and crimes against Sexual Freedom (Procedures Manual)**, it is established in art. 174 that the perpetrators of the crimes referred to in Chapters I and II shall also be sentenced by way of compensation: 1) Bear all expenses incurred by the victim for medical and psychiatric or psychological care; and, 2) Provide the victim with full sustenance for the term of medical leave.

- Victims of abuse or sexual exploitation may be assisted through the administrative process of the Childhood Protection Boards (JPNA). There are currently 16 boards at the national level, whose competence according to law is to hear, ex officio or at the request of a party, threats or individualized violations of the rights of children, through the issuance of administrative protection measures that are necessary to protect the threatened or violated rights.

- The JPNA hears cases by notice, complaint or ex officio. The case is entered into CONAPINA's complaint system, and the JPNA opens the case,
ordering the proceedings it deems appropriate through its multidisciplinary team, which may include psychological or psychosocial studies.

• By law, the Salvadoran Institute for the Integral Development of Children and Adolescents (ISNA) was responsible for implementing the child protection programs. Likewise, civil society entities may develop protection programs as long as they are registered and accredited by CONNA and are periodically supervised by ISNA. As of January 2023, the responsible institutions are CONAPINA and the Growing Together Institute.

• The Growing Together Law establishes that the CONAPINA will exercise the steering role in matters of comprehensive protection of the rights of children, where its main functions are: the effective defense of the rights of children; the coordination of the National System of Comprehensive Protection; and the formulation and evaluation of the National Policy (Art. 152, paragraph three). "All programs on Early Childhood, childhood and adolescence developed by private institutions and civil society organizations shall be accredited before the National Council for Early Childhood, Childhood and Adolescence and shall be subject to supervision. In case of non-compliance, the corresponding sanction will be imposed. (Art. 125, paragraph one). In the case of early childhood programs, the Growing Together Institute will issue the guidelines or parameters that must be met in order to be accredited". (Art. 125, paragraph two).

Article 193 of the Growing Together Act determines the existence of the Network of Entities for the Care of Children, and defines it as the set of non-profit associations and foundations that establish links among themselves and with the rest of the actors of the National Protection System, to contribute through their interventions to the comprehensive protection of children. The members of the Network will develop programs to contribute to the implementation of: a) Policies and plans for early childhood, childhood and adolescence. b) Protection measures to guarantee rights. c) Measures within the framework of the Juvenile Criminal Law, among others.

CAPACITY 8. CHILD PROTECTION PERSONNEL

Specialized, qualified and trained staff coordinated and available to provide trauma-informed support to protect and support children at risk of online sexual exploitation and abuse, and guidelines for frontline professionals on emerging and complex issues, such as: "self-generated" child sexual abuse material.

FINDINGS

• El Salvador has a National System for the Comprehensive Protection of Early Childhood, Childhood and Adolescence, also called "Comprehensive Protection System", which is the coordinated and articulated set of bodies integrated by public and private entities or institutions, such as the Ministry of Health, the Growing Together Institute, the Prosecutor’s Office for the Defense of Human Rights, among others.

• In the FGR, there are interdisciplinary child protection teams that have the technical tools and human resources to fulfill their function: for example, the Victim Attention Routes are composed of a team of psychologists, social workers, and a play librarian, although not all offices have the full team of professionals mentioned above.

• Both in the JPNAs and in the specialized protection programs of the former ISNA, there are multidisciplinary teams with training and awareness on children. These teams have adequate technical tools, operating spaces that are constantly being adapted and financial resources. Although the need to strengthen investment in these links of the system has been pointed out, so far the resource limitations have been overcome through coordination with strategic partners and the receipt of donations.

• The School Counseling program of the Ministry of Education, Science and Technology also has professionals in psychology, social work, and law, it also articulates efforts with educators and professionals of other disciplines, as appropriate.
• The Ministry of Health also has multidisciplinary teams, including doctors, nurses, therapists and psychologists.

• The Attorney General's Office has a Prosecution Action Guide for the investigation of crimes of Commercial Sexual Exploitation of Children and related crimes against Sexual Freedom (Procedures Manual) and a Protocol for Legal and Psychosocial Attention for persons facing violence with emphasis on children, women and other vulnerable populations. For its part, MINSAL has technical guidelines on comprehensive health care for people affected by violence. Both the Protocol and the guidelines foresee psychological, social and medical care for victims of all forms of violence, including sexual violence against children, as well as the referral of cases to the JPNAIs and support networks, in order to guarantee the corresponding protection measures and the restitution of rights.

• MINEDUCYT has free mechanisms for detection, attention, prevention, registration and activation of the Protection System, in case of threats and violations such as sexual violence, which is contemplated in the "Single Catalog of Violations in the School Environment MINEDUCYT", created within the framework of the "Alert System of Violence in Education of El Salvador (SALVE 4.0)". This tool aims to improve the articulation of the instances related to protection, having a tool for registration, case management and monitoring.

In addition, MINEDUCYT has the Action Protocol for dealing with sexual violence in educational communities; a document that has been conceived as a practical and useful tool for all members of the educational community when dealing with certain specific cases of sexual harassment, sexual aggression and rape, three of the most common manifestations of sexual violence.

The Protocol provides guidelines based on a conceptual framework and a legal framework in force that includes international and national regulations, to address particular situations of violation of children's rights by identifying and detecting cases through a legal route that facilitates the identification of the institutions obliged to act in situations of sexual violence - cases in which the authorities are obliged to undertake investigations of the facts, as well as to proceed immediately to enforce protection measures for the victims, which include avoiding re-victimization and guaranteeing the reincorporation of the victim to school activities, with dignity and effective protection of his or her integrity.

It also has the "Route for the attention of complaints and notices of threats and violations of rights in the national education system"; a document that is currently being adapted to the provisions of the Growing Together Law for the Comprehensive Protection of Early Childhood, Childhood and Adolescence.

• The Protection Boards and all their staff are continuously trained on-site, including, among such training, psychological first aid, Diplomas in updating Administrative Procedures, and LEPINA training. They also receive virtual training offered by the Inter-American Children's Institute (IIN-OAS) and CONNA, such as Commercial Sexual Exploitation of Children.

• As of December 2022, CONNA reported that more than 200,000 professionals from different areas have been trained on the Growing Together Law, in person and virtually through: crecerjuntos.gob.sv under the coordination of the Office of the First Lady.

CAPACITY 9: COMPENSATION, REMEDIES AND COMPLAINS ARRANGEMENTS

Provide measures to enable children and victims to receive accessible support in compensation, legal remedies and grievance procedures.

FINDINGS

• Victims of abuse or sexual exploitation may be assisted through the administrative process before the Protection Boards. There are currently 16 boards at the national level, whose competence according to law is to hear, ex officio or at the request of a party, threats or individualized violations of the rights of children, through the issuance of administrative protection...
measures that are necessary to protect the threatened or violated rights.

- The JPNAs know the cases by means of a notice, complaint or ex officio, then the case is entered into the CONNA complaint system, and the JPNA issues an opening order to file the proceedings it deems appropriate through its multidisciplinary team - these proceedings may be psychological or psychosocial studies. **Such measures may include enrollment in a program, psychological assistance, medical and educational services, specialized protection or institutional care (measure of last resort and for the shortest possible time),** among others. The JPNAs monitor compliance with the measure for as long as deemed necessary. This procedure is independent of the criminal proceeding.

- The 16 Boards nationwide operate 24 hours a day, 7 days a week. In addition, the free hotline **119** for guidance, support and complaints is available, as well as any institutional social network to report risks, threats and violations of the rights of children.

- The actors of the National Protection System have strategic alliances with civil society organizations, with the purpose of expediting the intervention of the JPNAs through the issuance of administrative protection measures and, if the situation denounced constitutes a crime, the JPNA must notify the FGR with a copy of the file, if deemed necessary. Despite the referral of the case, the JPNA continues to hear the case at the administrative level in order to restore the violated rights, or to incorporate the child into a state program or an entity duly registered with CONAPINA.

**FINDINGS**

- As for a helpline in the country, helpline 119 is currently available, which aims to provide support and guidance and to be a reporting tool for cases of violation of the rights of children.

Likewise, MINEDUCYT has lines and e-mails available for the reception of complaints and denunciations, such as:

- The Citizen Service Office (OAC): Mobile phone 6008-3286 and salve@mined.gob.sv
- Special Protection of Rights Management: 2592-3001 and 2592-3039
- The 14 departmental offices of the MINEDUCYT School Counseling Service

- The 119 helpline is located at the headquarters of CONAPINA, the leading institution for children’s issues. It is free of charge, operates 24/7 and responds to any warning or complaint, even if it is anonymous.

- The line operates by telephone and through chat on CONAPINA’s main social networks. It also provides face-to-face assistance and refers cases to institutions that provide face-to-face care.

- There are campaigns to promote the 119 line in social media.

- The child helpline has qualified and trained personnel to deal with child sexual exploitation and abuse situations, but it is necessary to train them deeply on online cases, so that the operators can respond accordingly.

**CAPACITY 10: CHILDREN’S HELPLINE**

24/7 helpline available that offers advice and interpretation in person and via video. In addition, robust data protection systems and operators with specific training in online damages must be in place.

**GAPS IN THE VICTIM SUPPORT AND EMPOWERMENT SECTOR**

- As a result of the new Growing Together Law, CONAPINA and the Growing Together Institute were created in January 2023. It is not known how ISNA and CONNA were merged and how competencies and personnel will be distributed. Furthermore, it will be necessary to review, update and, in some cases, create the regulations, protocols or procedure manuals that the new institutions will have and ensure that they consider the comprehensive approach and protection for victims of child sexual...
exploitation and abuse in digital environments.

- There are limited resources for capacity building of technical personnel and for the adaptation of spaces for the care of children.

- Article 8 of the Growing Together Act states that "Municipalities shall ensure investment through the development of programs, projects and services in favor of children residing in their territory. In the case of municipal investment projects, the Municipal Works Directorate will execute the projects and carry out the necessary works in accordance with its legal framework". This implies a centralization of funds in the Directorate of Municipal Works for municipal projects of any kind, which means that projects aimed at children will have to compete for funding at the same level as other municipal projects.

- The Directorate of Municipal Works is a recently created entity (November 2021). It is not an entity specialized in children, so the sustainability and provision of services to this population may be at risk.

- The protocols and guidelines for the care of victims of violence, including children, are not updated with the new Growing Together Law, nor do they include online sexual violence against children as a new form of sexual violence. The FGR, MINSAL, MINEDUCYT, the JPNAs, and the other institutions that make up the National Protection System must update their protocols and guidelines so that the care provided to victims of violence corresponds to the provisions of the new Growing Together Law and the recently created institutions (CONAPINA and the Growing Together Institute).
The social sector requires the prevention of child sexual exploitation and abuse:
• Children are informed and empowered to protect themselves from child sexual abuse.
• Parents, caregivers, teachers and child care professionals are well prepared to keep children safe from child sexual exploitation and abuse, and to address the taboos surrounding sexual abuse.

CAPACITY 11: CHILD SEXUAL EXPLOITATION AND ABUSE HOTLINE

Have dedicated portals or hotlines for the public to report suspected OCSEA. Cooperation between law enforcement and the technology industry is critical in this capacity.

FINDINGS
• El Salvador does not have a public or private hotline or portal for reporting Child Sexual Abuse Material.
• There is no coordination between the national industry and national authorities to remove CSAM10.

CAPACITY 12: EDUCATION PROGRAMS

Having national educational programs (including age-appropriate, accessible, and inclusive content) to raise awareness of all forms of child sexual exploitation and abuse, empowering children, mothers, fathers, youth, guardians, caregivers and practitioners with relevant information. Also, providing systematic training to professionals in education, social welfare and health.

FINDINGS
• In terms of prevention campaigns, the UAEMNAS gives talks in some schools where higher incidence of sexual abuse cases has been reported. These are prevention talks with high school and middle school students. There are no talks aimed at mothers, fathers, caregivers or educators. Nor does it include information to counteract cultural practices that normalize child abuse or sexual exploitation.
• MINEDUCYT does not have information on public educational policies on child abuse and sexual exploitation specifically. However, MINEDUCYT and its National Directorate of Educational Counseling and Student Development has a Special Protection of Rights Management office, whose main purpose is to ensure the special protection of the rights of children in the event of threats or violations reported in the Educational System, for which it activates the mechanisms of the National System for the Comprehensive Protection of Early Childhood, Childhood and Adolescence.
• The Office of the First Lady is promoting a series of virtual and in-person trainings on the new Growing Together Law. The training is aimed at people related to children care, leaders, and representatives of sectors such as health, education, sports, local governments, non-governmental organizations, among others. The purpose is to train more than 200 thousand people.

CAPACITY 13: CHILD PARTICIPATION

Encourage and empower children to provide ideas and influence policy and practice related to child abuse and sexual exploitation. Protect children and have legal frameworks on children’s rights, and exercise trauma-informed practice when dealing with children.

10 According to the Luxembourg Guidelines the term “child sexual abuse material” is increasingly used to replace terms that associate pornography with children, especially the term “child pornography”.
FINDINGS

- In El Salvador there is no parliament in which children and adolescents can discuss and dialogue about the problems that affect them or their rights. There is an Advisory Council on Children (CCNA).  

- One of the PNPNA’s objectives is to guarantee that all children can exercise their right to participate in all areas of their development, in accordance with their evolving capacities. Thus, in the context of this policy, the participation of children in public policies is intended to be a cross-cutting principle.

- Currently, there is no monitoring of how many public policies at the State level include this participation component, despite the fact that CONNA has promoted the CCNA, which is a consultation body on policies and plans concerning Children.

- There is no web platform that informs and allows the permanent participation of children on matters concerning their rights. However, the call to participate in the election of the members of the Advisory Council on Childhood (CCNA), either to vote or to run as a candidate, was an open and online process.

- No evidence was found on research carried out by the government or NGOs that gather the opinion of children on child sexual exploitation and abuse, and that these be considered for public policy decisions. In November 2022, the Alliance for Childhood, Adolescence and Youth in El Salvador presented a Balance of the situation of the rights of children and adolescents 2021-2022. In order to build this balance, the civil society organizations that make up the Alliance developed a consultation workshop with children between the ages of 5 and 12. A total of 20 people participated in the workshop.

CAPACITY 14: OFFENDER PREVENTION AND SUPPORT SYSTEMS

Provide support to prevent persons with a sexual interest in children from abusing or accessing child sexual abuse material; support convicted offenders as part of a rehabilitation response; and provide special support for children who display inappropriate sexual behavior.

FINDINGS

- In El Salvador, there are no support systems for persons with a sexual interest in children, whose purpose is to avoid or prevent them from acting on their interest and sexually abusing a child, or accessing child sexual abuse material on the Internet before they commit a crime.

- In accordance with art. 105-A of the Penitentiary Law, within the treatment activity aimed at readaptation, the convicted inmate may redeem his sentence through work or community support activities. However, the same article establishes that this benefit does not apply to all inmates or persons deprived of liberty convicted of various crimes, among them: rape of a child or a person with disabilities, sexual assault of a child or a person with disabilities.

- Chapter II of the General Regulations of the Penitentiary Law describes the "TREATMENT PROGRAMS" to be carried out inside Penitentiary Centers. These include general programs (formal education, job training program, physical education and sports program, religious program, and psychosocial competency program) and specialized programs.

- Article 349 of said regulation specifies those special programs, according to the criminological profiles that group criminal behaviors. These include: a) Program for sex offenders; b) Program for drug addicts.

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11 The Advisory Council is made up of 14 girls or female adolescents and 14 boys or male adolescents who represent the children of El Salvador to promote the fulfillment of their rights and who will be elected for a period of 3 years (2022 - 2025). Available at: https://www.conna.gob.sv/2021/12/13/eleccionconsejoconsultivo/

12 In any case, the Penitentiary Administration will take into account the existing resources in the community for the execution of the activities of the penitentiary treatment (Art. 345, General Regulations of the Penitentiary Law).
• The program for sex offenders seeks to promote empathetic and sensitive processes in sex offenders towards their victims, thus seeking to favor self-control of their abusive behaviors.

• The participation of inmates in the programs will be evaluated every six months and recorded in the single file by the Technical Criminological Team of the Center.

• Article 35, paragraph two of the Constitution of the Republic of El Salvador establishes that the conduct of the adolescent that constitutes a crime or misdemeanor shall be subject to a special legal regime, which is developed in the Juvenile Criminal Law (LP)\textsuperscript{13}, which provides for the exceptionality of the measure of intern, establishing the possibility to favor the enforcement of non-custodial measures as a rule, such as those described in Article 8\textsuperscript{14} and following of the LP. In any case, the main characteristic of any measure is its socio-educational nature. According to art. 59 of the LP, crimes related to sexual freedom do not allow for conciliation.

• The Care Program for Adolescents with Socio-educational Measures in an Open Environment, arises from the Framework Program for the Comprehensive Care of Adolescents Subject to Juvenile Criminal Responsibility, from which three programs are derived: The care in the measure of imprisonment, the care in the measures of open environment and the care in the administrative measure of shelter.

• From January to September 2022, ISNA published a statistical summary of the population served in the Social Integration Program. The three main crimes committed by the population served are: unlawful assembly (3,023), unlawful association (483), rape and sexual assault (299). The types of measures applied to the population served were: provisional, administrative and definitive. The Law for the Comprehensive Protection of Children (LEPINA) provided in Article 181 "...that the execution and organization of programs for the implementation of the measures dictated by the Courts for Minors and the Execution of Measures for Minors will correspond to ISNA", among other obligations of the Juvenile Criminal System.

• Therefore, the Social Integration Program can be considered as a support system for adolescents who exhibit sexually inappropriate behavior, guaranteeing the execution of measures imposed on young people in conflict with the law by the corresponding courts.

• According to the aforementioned statistical summary, the age group with the largest population served corresponds to the 16 to 18 years old, with a total of 2,356 males and 403 females, totaling 2,759 cases, which is equivalent to 56.0% of the total number of cases served during the third quarter of 2022, followed by the 14 to 16 years old group with a total of 1,008 cases and 20.5%\textsuperscript{15}.

• ISNA also published a statistical summary of the population served between January and September 2022 in the Early Childhood Care Centers. The highest concentration in age ranges is found in the group of 3 years to 4 years 11 months with 2,609 children corresponding to 40.5% of the total population served during the third quarter 2022 in the program\textsuperscript{16}. However, there is no breakdown of the cause for which these children are being cared for.

• Civil society organizations study sexual violence cases in El Salvador. However, the statistics do not distinguish whether the crimes committed have been cyberfacilitated. The Alliance for Childhood, Adolescence and Youth in El Salvador includes in its Balance of the rights of children 2021-2022 a brief mention of digital violence affecting children, and mentions the existence of cases where children are victims of cyberbullying and sextortion. The report highlights that violence does not usually occur in isolation, but can combine several online violence and also lead to physical violence, and that, despite the relevance of digital environments in the lives of children, there is no evidence of public policies in

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\textsuperscript{13} The Juvenile Criminal Law shall apply to those persons over twelve years of age and under eighteen years of age.

\textsuperscript{14} Art. 8.- A minor who commits an act classified as a crime or misdemeanor according to criminal legislation may only be subjected to the following measures: a) Guidance and socio-family support; b) Reprimand; c) Imposition of rules of conduct; d) Community service; e) Assisted liberty; f) Imprisonment.

\textsuperscript{15} ISNA. Statistical Records, Second Quarter. Period: January to June 2022. Social Integration Programs. Available at: https://www.transparencia.gob.sv/institutions/isna/documents/estadisticas

\textsuperscript{16} ISNA. Statistical Records, Third Quarter 2022. Early Childhood Program. Available at: https://www.transparencia.gob.sv/institutions/isna/documents/estadisticas
\end{flushright}
favor of generating actions for the prevention of online violence, and for access to justice for children who have been affected.

- With the Growing Together Act, the National Council for Early Childhood, Childhood and Adolescence will be in charge of managing centers and programs for the enforcement of preventive detention and the execution of socio-educational measures for adolescents with criminal responsibility, for which purpose it will coordinate the management of services with the guarantor institutions for the effective enjoyment of their rights. The socio-educational measures for adolescents with criminal responsibility may also be implemented through programs developed by the care entities, who will be accountable to the competent judge for the monitoring of the measure, as well as the supervision of the National Council for Early Childhood, Childhood and Adolescence (Art. 131, Growing Together Act).

- On the other hand, in El Salvador no preventive communications are published to dissuade offenders and potential offenders or sexual aggressors of children.

- There is no evidence of support services available for family members and friends of child sex offenders.

- In general, the Salvadoran prison regime is progressive. According to the Law, the phases that persons sentenced to imprisonment should go through include: a) adaptation, b) ordinary, c) trust and d) semi-liberty. There are programs for common inmates in the trust phase, among them the Zero-Leisure Plan promoted by the current government of President Nayib Bukele, in which the inmates collaborate in different productive activities both inside and outside the penitentiary centers. No response was obtained to know in detail if there is participation of sex offenders in this Plan or in other readaptation activities.

- El Salvador does not have a registry or database on sexual offenders of children. Nor does it have permanent and sustainable programs aimed specifically at sex offenders to prevent recidivism.

- Neither the Prosecutor’s Office, nor the Police, nor civil society organizations carry out investigations on the profile of the sexual violence does not usually occur in isolation, but is recognized, ratified or signed by the Salvadoran Left Protection (LEPINA) and to other international conventions and protocols.

CAPACITY 15: INFORMED AND ETHICAL MEDIA REPORTING

Report in a sensitive and evidence-based manner that respects the rights and dignity of victims and survivors.

FINDINGS

- In 1936, the El Salvador Journalists Association (APES) was founded in El Salvador with the aim of unifying all journalists and communication professionals in El Salvador and promoting the professional development of practicing journalists and university students of journalism or related careers.

- APES has an Ethics Commission, whose main function is to monitor compliance with the Code of Ethics for Journalists and Communication Professionals in El Salvador and to receive complaints of breaches of the principles of ethics in the practice of journalism.

- The Code of Ethics for Journalists and Communication Professionals in El Salvador is based on the legislation of the Republic of El Salvador and international regulations such as the Universal Declaration of Human Rights, the American Convention on the Rights of the Child, the Convention on the Rights of the Child, among others.

- Art. 18 of the Code of Ethics establishes that it shall Observe, guarantee and respect the text and spirit of the Convention on the Rights of the Child and all international legislation or protocols recognized, ratified or signed by the Salvadoran State.

- Article 23 of the Code of Ethics states that when interviewing children who are victims of violence, abuse and sexual exploitation, their dignity must be respected and the assistance of psychology professionals, social workers or other stakeholders must be sought, provided that they are authorized by law to provide such information, and that they comply with the ethical standards contained in national legislation or international conventions and protocols.
• Art.24 mentions that the name or images of minors or adults who have been victims of abuse and violence must not be published.

• On the other hand, Art.25 mentions that the privacy, private life, honor and reputation of victims of violence, abuse and commercial sexual exploitation must be respected. Abstain from publishing images with sexual connotations.

• In El Salvador, there is not an institutionally established work group to address the prevention of OCSEA, with the participation of public and/or private media.

• Article 237 of the Growing Together Act mentions that the following are gross infractions: Using or exhibiting the name or image of children in news, reports, chronicles, life stories or any other journalistic expression, which allows the identification or individualization of those when they are victims of mistreatment, abuse or any other crime. Therefore, journalists and communicators should take these guidelines into account when reporting.

• The Comprehensive Protection System does not have guides or courses for the media regarding the protection of children's rights in their journalistic activities.

highlighting the absence of crime prevention and readaptation policies for persons deprived of liberty.

• No response was received from the Ministry of Justice and Public Security or the General Directorate of Penitentiary Centers to the request for information for this assessment. Therefore, it was not possible to determine whether in practice there is a specialized program for sex offenders, or whether the prison administration allocates economic and human resources for the care and rehabilitation of child sex offenders in order to prevent recidivism. Nor to know whether the professionals providing support have the appropriate knowledge, skills and understanding to provide an effective service.

• It is also unknown whether the Criminological Technical Team of Penitentiary Centers has research on the criminological profile of child sexual aggressors.

GAPS SOCIETY AND CULTURE SECTOR

• El Salvador does not have a hotline or a portal to report or denounce OCSEA and CSAM.

• There are no educational programs that refer to child online abuse and sexual exploitation. Despite this, there is an action protocol for addressing sexual violence in educational communities in El Salvador.

• Although the Salvadoran penitentiary system is progressive in nature, penal policies are mostly focused on repression and the imposition of long sentences,
The industry sector needs an industry committed to developing solutions to prevent and address child sexual abuse, and a public that proactively denounces CSEA. In addition to an industry that has the power and will to block and remove OCSEA material and proactively address local child sexual abuse issues.

**CAPACITY 16: TAKEDOWN PROCEDURES AND REPORTING**

Locally remove and block CSAM and establish procedures for its timely removal when a company confirms the presence thereof. This requires establishing legal regulations for the industry to report online child sexual abuse material, including the transmission of content to the police or a designated agency, and maintaining global, cross-sector collaboration.

**FINDINGS**

- In 1997 the General Superintendence of Electricity and Telecommunications (SIGET) was created. According to Article 4 of the Law creating the SIGET, this is the competent entity to apply the norms contained in international treaties on electricity and telecommunications and their regulations, as well as to hear cases of non-compliance therewith.

- In 1997 the Telecommunications Law was also created with the aim of regulating and supervising the activities related to the telecommunications and information technology and communications sector, and its Art.1 provides that the General Superintendence of Electricity and Telecommunications will be the entity responsible for applying and overseeing compliance with the rules and regulations established in said Law and its regulations.

- According to Article 5 of the Telecommunications Law, all telecommunications equipment must comply with the norms and standards set out by the International Telecommunications Union or by other international organizations recognized by El Salvador. On the other hand, art. 5-A provides that SIGET will be responsible for defining the measurement and control methodology, the content and form of information exchange; it may audit the information and processes whenever it deems necessary.

- The SIGET has the authority to request from commercial telecommunications network operators the technical information necessary to verify compliance with the law, its regulations and applicable rules, as well as to carry out the inspections it deems necessary to verify the veracity of the information provided, and to apply the corresponding sanctions or corrective measures.

- The International Telecommunication Union published in 2020 the Guidelines on Childhood Online Protection for the Industry. Section 2.2 of these guidelines sets out some existing national and transnational models for child online protection, including the WeProtect Global Alliance and its National Response Model. According to this Model there is a clear set of commitments from ICT companies related to:

  - notification and deletion procedures;
  - reports of online child sexual exploitation and abuse;
  - development of technological solutions; and
  - investment in effective PiE prevention programs and response services.

**CAPACITY 17: INNOVATIVE SOLUTIONS DEVELOPMENT**

Develop technological solutions to prevent and address online child sexual exploitation and abuse.
FINDINGS

• The country does not have a technology industry that has servers in the national territory that can store child sexual abuse material.

• The national industry does not have tools to identify child sexual abuse material.

• The national industry does not have tools to report the existence of child sexual exploitation material.

• The personnel of national companies lack protocols for the identification and reporting of child sexual abuse material; therefore, they also do not have self-care and assistance programs for personnel who identify child sexual exploitation.

• There is no national legislation that requires the national industry to have guidance tools for its users on how to prevent and report child sexual abuse material.

• The country does not have national technological solutions or national private companies that have allowed it to identify, prevent or investigate child sexual abuse material.

• The government or research institutions do not have national alliances with private companies for the development of technological solutions for the identification, prevention or investigation of Child Sexual Abuse Material.

CAPACITY 18: RESPONSIBLE BUSINESS CONDUCT

Having child protection and safeguarding, due diligence and redress policies in place to address online child sexual exploitation and abuse.

FINDINGS

• The Internet Service Providers in El Salvador are: AMNET DATOS, TELEFONICA, SALTEL, TELECAM, INTERCOM, TELECOM, TELEMOVIL, INTELFON, DIGICEL, NAVEGA, SALNET, AMERICATEL, GCA TELECOM, S.A., GBM EL SALVADOR, among others.

• The most popular national and international companies or applications for children operating in the country are: Facebook, Instagram, Youtube, Tik-Tok.

• National and international technology companies operating in the country, which provide interaction services with underage users lack actions within their corporate responsibility program for the prevention and care of OCSEA and CSAM.

GAPS IN THE INDUSTRY SECTOR

• In practice, SIGET does not have mechanisms or tools to regulate the content and form of information exchange, so there are no guidelines for ISPs to detect, block or remove CSAM from servers, while it is removed from servers of international companies.

• Art. 30-C of the Telecommunications Law highlights the NETWORK NEUTRALITY, establishing that operators must guarantee network neutrality, meaning that Internet Service Providers (ISPs) may not arbitrarily carry out the following activities: block, interfere, discriminate, intervene, hinder, or restrict the right of any user of interconnected communication networks (internet) to use, send, receive or offer any legal content, application or service through said network, as well as any other type of legal activity or use carried out through said network, prior agreement with the operator in the provision of the service and by means of the corresponding payment.

• In 2018, SIGET approved the Regulation on the Quality of the Public Telephony Service and Data Transmission Service. Art. 11. of said Regulation contains CONSIDERATIONS RELATING TO INFORMATION TRANSFER AND

17 ISP in El Salvador. Available in: https://svnet.sv/lista-de-proveedores-de-internet/

18 Network neutrality is the principle that Internet traffic should be treated equally, without discrimination, restriction or interference regardless of sender, recipient, type or content, so that Internet users' freedom of choice is not restricted by favoring or disfavoring the transmission of Internet traffic associated with particular content, services, applications or devices. In accordance with the principle of net neutrality, Internet providers must refrain from discriminating, restricting or otherwise interfering with the transmission of Internet traffic.
INTERNET SERVICE ACCESS, according to which network neutrality must also be guaranteed, meaning that national ISPs may not arbitrarily carry out the following activities: block, interfere, discriminate, intervene, hinder or restrict the right of any Internet user to use, send, receive or offer any lawful content, application or service through the Internet, as well as any other type of lawful activity or use carried out through the Internet, prior agreement with the operator in the provision of the service and by means of the corresponding payment.

- The private sector is indifferent to the phenomenon of OCSEA. There is little awareness and research on the subject and there was little interest in collaborating with this assessment.

- There are no partnerships between government and industry or private enterprise for technological innovation with an emphasis on protecting children from online sexual exploitation and abuse.

- SIGET has the powers, by law, but in practice internet service providers are not required to detect, block or remove child sexual abuse material from national servers.
The research and data sector urges:
- Raising awareness on the public, practitioners and policy makers
- Potential future offenders are deterred.
- Reduced crime and recidivism in cases of child sexual exploitation and abuse.

**CAPACITY 19: RESEARCH & DATA**

Possess data, research and analysis on the threat and response to online child sexual exploitation and abuse, as well as strong data management systems (e.g., police, courts, social services) to monitor service delivery, access and effectiveness and provide regular information to decision-makers.

**FINDINGS**

- In El Salvador there is no research conducted at the national level on the response to the prevention and investigation of OCSEA.
- Private sector researchers also lack expertise on the matter.
- There is no qualitative or quantitative research on OCSEA at the national level.
- There are no public policies for a national response to online child sexual exploitation and abuse.
- There are no indicators (previously agreed by the government) on specific issues related to online child sexual exploitation and abuse, including the progress of activities and evaluations in the country reports, within the framework of approved international agreements.
- Nor there is concrete research on the profile of child sex offenders (on and offline).
- There is little awareness of OCSEA issues. Evidence thereof is the lack of interest in investigating it and the absence of educational and preventive campaigns in this regard.
- The National Comprehensive Protection System does not have a systematization or shared database, which makes it difficult to access official data.

**CAPACITY 20: UNIVERSALLY AGREED TERMINOLOGY**

Communicate information and policies clearly and in line with international standards.

**FINDINGS**

- There are no internal instructions within the police, the attorney general’s office or the judiciary system for the use of appropriate terminology, in accordance with the Terminology Guidelines for the Protection of Children from Sexual Exploitation and Abuse.

**GAPS IN THE RESEARCH AND DATA SECTOR**

- Although there are studies or research on the rights of children in El Salvador, there is little literature and publications that refer to cybercrime and online child sexual exploitation and abuse in El Salvador.
- El Salvador lacks indicators established at the national level on specific issues.
• Although there are studies or research on the rights of children in El Salvador, there is little literature and publications that refer to cybercrime and online child sexual exploitation and abuse in El Salvador.

• El Salvador lacks indicators established at the national level on specific issues related to child sexual exploitation and abuse, or to follow up on commitments acquired through international instruments.

• There is little awareness of OCSEA. Proof of this is the low level of study and research on the phenomenon in El Salvador.

• Both in legislation and in everyday life, inappropriate language is used to refer to online and offline child sexual exploitation and abuse, which normalizes and reproduces violence in language and re-victimizes sexually abused and exploited children.
**RECOMMENDATIONS**

**RECOMMENDATIONS POLICY, LEGISLATION AND GOVERNANCE SECTOR**

**Short Term**
- Recommend CONAPINA to consider the protection of children in digital environments as a cross-cutting issue in its policies, plans and programs to prevent OCSEA.
- Raise awareness among the authorities of the National Protection System, civil society and children about OCSEA.
- Promote approaches between the FGR and the PNC with international organizations that work to prevent and investigate OCSEA and CSAM.
- Study whether the PNC and FGR manuals or protocols for the management and collection of digital evidence respond to the existing needs and challenges of investigations of OCSEA cases.

**Medium Term**
- Raise awareness of the importance of using appropriate and non-victimizing language in order to influence the collective imagination and avoid the mainstreaming of sexual violence in national language and legislation.
- Propose reforms to the digital evidence collection manuals of the PNC and FGR, in order to ensure effective investigations that allow greater prosecution of OCSEA cases.
- Guarantee the permanent updating of knowledge of judges, prosecutors and police on OCSEA issues and on the reforms to the Special Law against Computer and Related Crimes, and the Special Law for the Intervention of Telecommunications and its appropriate application in cases of online child sexual exploitation and abuse.
- Consider the comprehensive protection of children in digital environments as a cross-cutting issue in the policies, plans and programs created as a result of the Growing Together Act and the creation of CONAPINA and the Growing Together Institute.

**Long Term**
- Use the terminological guidelines for the protection of children against sexual exploitation and abuse as reference (Luxembourg Guidelines) for the creation and implementation of laws, policies or programs related to children.
- Train police, prosecutors, and investigators on technological tools for the extraction of digital evidence on CSAM and OCSEA cases.
- Consider in national policies funding for the provision of services and assistance to victims of online child sexual exploitation and abuse, in order to guarantee the restitution of their rights.
- Strengthen coordination between ICMEC and the public and private entities that make up the National Protection System for the prevention, investigation, and care of OCSEA cases in El Salvador.
- Include in the national budget the necessary funds for the adequate operation of CONAPINA and the Growing Together Institute and its programs and services.
**RECOMMENDATIONS FOR THE CRIMINAL JUSTICE SECTOR**

### Short Term
- Modernize the systematization and registration of child sexual exploitation and abuse cases and crimes in order to enable the individualization of cases and profiles of sexual offenders of children.
- Promote the creation of a sex offender file in penal centers, as well as the implementation of special programs for their care and rehabilitation.
- Urge the FGR, through the UAEMNAS, to gain access to NCMEC reports and that its personnel are trained to access the platform and investigate cases.
- Create awareness campaigns on OCSEA for judges, prosecutors, police and investigators.
- Promote courses for prosecutors, judges and police officers on the investigation of OCSEA and CSAM.

### Medium Term
- Recommend that the National Public Security Academy, the PNC, the Prosecutor Training School and the Judicial Training School disseminate the reforms to the Special Law against Computer and Related Crimes and train personnel to identify and extract digital evidence in cases of OCSEA.
- To train UAEMNAS personnel in the investigation of online child sexual exploitation and abuse cases, with a trauma-informed and victim-centered approach to care for children.
- Create a CSAM database at the national level, which also feeds into INTERPOL's ICSE database, and allows transnational investigation of OCSEA cases.
- Manage international cooperation to provide the PNC and FGR with the necessary equipment, tools, software and knowledge to investigate OCSEA and extract digital evidence in a timely manner.
- Extend the specialized jurisdiction for children to each department in order to decentralize the workload of the courts in San Salvador, Santa Ana and San Miguel.

### Long Term
- Comply with the provisions of the Reform to the Special Law Against Computer and Related Crimes, which establishes that both the PNC and the FGR must ensure that the investigation personnel and auxiliary prosecutors have the necessary knowledge and constant updating for the performance of their duties and the fight against computer crimes; and that the PNC and the FGR may have **Units for the Scientific Investigation of Computer Crimes, Treatment and Analysis of Digital Evidence**, which will allow them to carry out forensic computer audits.
- Negotiate a budget increase to modernize the specialized child sexual exploitation and abuse investigation units in the PNC and FGR.
- Develop research on the criminological profile of child sex offenders in order to deter potential offenders.
- Manage international cooperation to train the human talent of the PNC and FGR, so that the country can have more certified digital forensic experts who can access, manage and investigate the CyberTipline reports of NCMEC.
- Institutionalize permanent training processes on cybercrime and OCSEA for PNC investigators, prosecutors, judges, etc.
- Strengthen the PNC’s Cybercrime Unit with more financial and human resources, and train investigators to take special responsibility for investigating OCSEA and CSAM.
VICTIM SUPPORT AND EMPOWERMENT SECTOR RECOMMENDATIONS

Short Term
- Develop training processes aimed at CONAPINA and the institutions that make up the National Protection System for the comprehensive approach and care of children victims of online child sexual exploitation and abuse.

  - Publicize in the media and in schools the existence of the 119 helpline and the services it provides for Salvadoran children.
  - Systematize the services provided to victims of online child sexual exploitation and abuse to ensure that they receive the corresponding compensation and reparations.
  - Analyze whether the Strengthening and Development Plan for the Care of Children and Adolescents, announced by CONAPINA, considers comprehensive online care on OCSEA cases.
  - Strengthen the knowledge of the Network of Child and Adolescent Care Entities on the victim-centered approach and trauma-informed care and on OCSEA.

Medium Term
- Create an inter-institutional protocol/roadmap for the National Protection System, in order to guarantee coordinated and comprehensive care for children victims of OCSEA.

  - Design and implement technological tools to facilitate the systematization and follow-up of child sexual exploitation and abuse cases in the Protection Boards.
  - Train the human resources of the 119 helpline on OCSEA and trauma-based care, in order to ensure good service and assistance in such cases.
  - Create a protocol for the attention of OCSEA cases received through the 119 helpline.

  Consider comprehensive care for children who are victims of crimes committed in digital environments as a cross-cutting issue in the plans and programs created as a result of the Growing Together Act.

  - Promote prolonged follow-up with victims after the trial has ended to monitor and guarantee the restitution of their rights.

Long Term
- Ensure the existence of comprehensive care services (e.g., shelter services, medical and psychological care, among others), and follow-up for victims of online child sexual exploitation and abuse, as well as for staff and professionals who deal with these cases. It is also important to provide psychological care to front-line personnel who deal with OCSEA cases and to the operators of the 119 helpline so that they have the necessary psycho-emotional tools to enable them to deal with any situation and provide quality, humane care with a human rights approach and trauma-based care.

  - Negotiate before the Legislative Assembly the budget allocation for the creation and financing of programs, measures and compensation for victims of OCSEA.

  - Establish prolonged follow-up mechanisms within the National Comprehensive Protection System to guarantee the restitution of rights and compensation for CSEA victims.
SOCIETY AND CULTURE SECTOR
RECOMMENDATIONS

Short Term
- Include in MINSAL and MINEDUCYT sexual and reproductive education programs or campaigns, the risks and myths of OCSEA.
- Recommend to CONAPINA the establishment of alliances with the national and international technology industry to design tools and mechanisms for reporting CSAM accessible to the population.
- Develop a user-friendly guide for the media and communicators on the Terminology Guidelines for the protection of children against sexual exploitation and abuse and on good practices in the drafting and reporting of news stories that report on these crimes.
- Request INHOPE to exchange best practices and lessons learned about hotlines operating in other countries.
- Create digital content to dissuade the population from committing child sexual exploitation and abuse crimes.

Medium Term
- Form an alliance between ICMEC, INHOPE, CONAPINA and the national industry in order to create a hotline for reporting OCSEA and CSAM in El Salvador.
- Create, through the National Directorate of Educational Counseling and Student Development, preventive campaigns on online child sexual exploitation and abuse (and offline), targeting students, teachers, parents and caregivers.
- Establish ongoing trainings for health professionals, educators and frontline child protection workers on child sexual exploitation and abuse and trauma-informed care.
- Conduct a study to assess the feasibility and sustainability of creating a hotline in El Salvador.
- Create and promote digital campaigns to encourage online reporting of CSAM and OCSEA, which also provide information on where to report them.
- Involve public and private media and ISP in strategies for the prevention of OCSEA and the protection of children’s rights.

Long Term
- Create a hotline in alliance with ICMEC and INHOPE in El Salvador to report online CSAM.
- Manage funds for the Directorate of Criminal Centers and other care centers to implement special rehabilitation programs aimed at child sex offenders, and adolescents with inappropriate sexual behavior.
- Design campaigns aimed at parents and educators to orient them on the approach and prevention of child abuse and sexual exploitation from their homes and schools.
- Establish the necessary mechanisms to guarantee the participation of children in decision-making at the local and regional levels, and that their opinions are heard.
- Promote the creation of an early warning system for the early identification, monitoring and follow-up of adolescents with sexually inappropriate behavior.
INDUSTRY SECTOR RECOMMENDATIONS

Short Term

- Create awareness in the Salvadoran industry through forums or discussions on the importance of regulating, identifying and blocking content, specifically CSAM circulating freely in El Salvador.

- Promote SIGET’s leadership at national and international level as the entity responsible for ensuring safe digital environments for Salvadoran children.

- Conduct a comparative policy analysis of international legislation that has adopted measures to protect children from sexual exploitation and abuse in virtual environments.

- Promote alliances with national and international actors to share experiences and best practices implemented in cross-border cases of OCSEA.

Medium Term

- Inform ISP, ASI, ANEP and think tanks of the existence of the Guidelines on Child Online Protection for the Industry published in 2020 by the International Telecommunications Union, in order to provide quality and safe services for all users, and to comply with the provisions of art. 5 of the Telecommunications Law, which states that All telecommunications equipment shall be subject to the norms and standards recommended by the International Telecommunications Union or by other international organizations recognized by El Salvador.

- Encourage ISP to develop online prevention campaigns on child sexual exploitation and abuse as part of their corporate social responsibility.

- Stimulate the University-Industry relationship for the research and creation of technological solutions to prevent and address online child sexual exploitation and abuse, through hackathons and other innovative proposals.

- Encourage corporate social responsibility of technology companies in El Salvador, through the development of national campaigns to prevent OCSEA and CSAM, and the creation of portals for the reporting and denouncing of it.

Long Term

- Reform Art. 30 of the Telecommunications Law, on net neutrality, and clearly establish that ISP may block, interfere, discriminate, interfere, intervene, hinder, and restrict when it comes to material involving child sexual exploitation and abuse and that, in addition, they must report it to the competent authorities.

- El Salvador, through the Secretariat of Innovation, the Ministry of Education, Science and Technology, private enterprise, FGR and PNC, should promote alliances for the search for technological solutions to identify, prevent or investigate CSAM.

- Develop protocols or guidelines for the FGR to require ISP to block and remove CSAM from national servers.

- Provide psychological care to ISP personnel working in the identification, reporting and blocking of CSAM.
RESEARCH AND DATA SECTOR RECOMMENDATIONS

Short Term

- Establish alliances and follow-up mechanisms that allow CONAPINA to comply with art. 154 of the Growing Together Law, numeral 12), which states: “To collect and analyze information related to the situation of the rights of children through an integrated system that centralizes the management of information and promotes the development of research to facilitate decision-making.”

- Create a user-friendly guide on the Luxembourg Guidelines to be shared with the institutions that make up the National Protection System and the media, in order to homogenize appropriate language aligned with international standards.

Medium Term

- Promote studies and research on the situation of children’s rights within higher education institutions, think tanks and NGOs, in order to consider such studies to guide informed decision making.

- Build monitoring indicators to evaluate compliance with national policies, plans and programs created from the new Growing Together Law, in line with international standards and recommendations such as the Sustainable Development Goals (SDGs) and the specific observations for El Salvador by the Committee on the Rights of the Child of the United Nations.

Long Term

- Make the phenomenon of child sexual exploitation and abuse visible through research, data and statistics, in order to promote policies and programs in response to cases of OCSEA that arise.

- Create a national database to be fed by the institutions that make up the Comprehensive Protection System, in order to monitor and evaluate the services provided to the child population served.

- Create a national roundtable between PNC, IMR, FGR, CONAPINA and the Institute Growing Together that allows for the discussion and investigation of online and offline child sexual exploitation and abuse and the quarterly harmonization of statistics and data on OCSEA cases.
CONCLUSIONS

• Sexual violence, which includes abuse and exploitation, is a legal, juridical, psychological, medical, social and family emergency that requires a comprehensive, multidisciplinary and inter-institutional approach, with a rights-based and victim-centered approach. In El Salvador, there is a National System for the Comprehensive Protection of Early Childhood, Children and Adolescents, which is made up of public and private institutions that pursue the protection of children. However, this study concludes that in light of the specific capabilities of the National Response Model of the WeProtect Global Alliance, this System’s response is weak when dealing with specific online child sexual exploitation and abuse cases, so it will be necessary to strengthen the response capabilities in the following sectors: policy, legislation and governance; criminal justice; victims; society; industry; research and data.

• In terms of policy, legislation and governance, there are evident advances with the reforms to the Special Law for the Intervention of Telecommunications and the Special Law against Computer and Related Crimes - the latter including crimes known as grooming and sextortion. For these advances to have a positive impact, they must be accompanied by permanent (not isolated) awareness-raising and training processes aimed at police, judges and prosecutors (among others), to train them and provide them with the tools necessary to investigate and combat OCSEA. In addition to the above, there is evidence of the efforts made by the Office of the First Lady in the protection of early childhood, childhood and adolescence with the recent creation of the Growing Together Law and institutions such as CONAPINA and the Growing Together Institute - being this a favorable national context to expand the protection of this population in virtual environments.

• Regarding Criminal Justice, there is a weak institutional structure and technical capacity, as well as little training for PNC and FGR human resources on cybercrime and OCSEA, which hinders the investigative processes and compromises effective convictions in cases of online child sexual exploitation and abuse. In this regard, it is urgent to acquire new tools and technologies -or take advantage of existing ones-, and to coordinate efforts between police and prosecutors to train their personnel and ensure the efficient and timely management and extraction of digital evidence, necessary in judicial investigations.

• ICTs have become a tool with countless benefits for the advancement of our societies, but they also represent a risk for vulnerable child populations, so at a social level, education and prevention play a very important role in reducing OCSEA. This assessment concludes that in El Salvador there is a need for further education on the risks of ICTs for children, on sexual and reproductive education and its relationship with OCSEA. On the other hand, for reported cases of child sexual exploitation and abuse, there are services and programs to support children who are victims of sexual exploitation and abuse (whether or not their online component is specified). The JPNAs are responsible for redirecting children to services and programs needed in the process of care, protection and restitution of rights, as well as in the criminal process. In addition, the country has a toll-free helpline 119 where children will receive professional help and assistance.

• Of the sectors analyzed in this study, the industry sector is the one that most needs to be sensitized and strengthened, specifically those companies or institutions dedicated to the Information and Communication Technologies sector. Both government and industry need to become aware of the risks that easy and free access to online services represent to the safety of children, in order to make decisions to protect all users. In this regard, it is urgent that the government establish alliances with the industry to ensure safe virtual environments for children, and create tools and mechanisms for the control, identification, blocking and reporting of CSAM and OCSEA. It is important to emphasize that SIGET, as the regulatory body for communications, should take the lead in promoting the creation of safer virtual environments, with the support of CONAPINA and the advice of the corresponding institutions.
• The phenomenon of Child Sexual Exploitation and Abuse is rarely studied in El Salvador, specifically there is no research and data on OCSEA, so it is important to evidence the rise of the phenomenon and have reliable data and statistics that serve as input for the formulation of public policies, plans and programs based on scientific evidence. The lack of transparency and openness of public institutions on these issues makes it difficult to analyze and create intervention and collaboration strategies useful for improving and building national capacities.

• It is no secret that the use of ICT and the Internet brings multiple benefits for people of all ages, but it is also true that children are exposed to inappropriate content or sexual aggressors all the time and on all networks or platforms. Children are not aware of the consequences or scope of their digital footprint or of the consequences of their actions in the virtual environment and their transcendence in the physical environment. It is therefore important to recognize their vulnerability and the need to coordinate efforts between the different actors and sectors of society to ensure their comprehensive protection in both physical and virtual environments, as the line between these is becoming increasingly thinner. Access to information and education on cybercrime and online child sexual exploitation and abuse is essential to raise awareness and prevent the phenomenon.

• The protection of children online is not the responsibility of a single sector or actor, it is a shared responsibility among government, family, civil society, academia, international organizations, donors, industry, among others, and requires multiple and different technical-operational efforts in cultural, political, governance, justice, and especially budgetary matters. Without the necessary resources and funding, plans, programs and services for victims and survivors of OCSEA cannot be implemented, nor can the programs aimed at the prevention and care of aggressors in order to treat them in a timely manner and/or prevent their recidivism.

• Finally, it is concluded that the new Growing Together Law and the creation of CONAPINA and the Growing Together Institute represent a historic moment in El Salvador, in which the importance of comprehensive care and development of early childhood, childhood and adolescence and its impact on the development of the people is recognized. Although CONAPINA and the Growing Together Institute began operations in January 2023, this is the right time to build alliances with national and international actors to support the country in strengthening its capacities and in the review and creation of protocols and guidelines where the protection of children in the digital environment as a cross-cutting theme.
MULTISECTORAL RESPONSE AND CAPACITY (MRC) ASSESSMENT: EL SALVADOR

For the prevention, attention and investigation of cases of Online Child Sexual Exploitation and Abuse.