

INTERNATIONAL TRADE UNION CONFEDERATION (ITUC)
INTERNATIONALLY-RECOGNISED CORE LABOUR
STANDARDS IN EL SALVADOR
REPORT FOR THE WTO GENERAL COUNCIL REVIEW OF THE
TRADE POLICIES OF EL SALVADOR
(Geneva, 10-12 February 2010)

EXECUTIVE SUMMARY

Although El Salvador recently ratified the ILO core Conventions on trade union rights, they are still not applied in practice. Some groups of workers in the public sector are not allowed to join the trade union of their choice and to bargain collectively. Workers in the private sector face many restrictions such as excessive formalities and requirements when wishing to exercise their trade union rights. There are many restrictions on the right to strike, rendering strikes effectively illegal. Anti-union practices are widespread and public authorities do not intervene as they should. The law does not provide for the reinstatement of workers illegally dismissed because of their trade union membership or activities. Workers' fundamental rights are massively violated in export processing zones where the law is not enforced.

El Salvador has ratified both ILO core Conventions on discrimination, yet women and indigenous people still face serious discrimination in employment and remuneration. In 2006 women were reported to earn only 88% of men's average wage. They are overrepresented in low-skilled, low-wage jobs and many face appalling working conditions in export processing zones. Domestic workers, 90% of whom are girls and women, are excluded from the coverage of most basic labour rights. Discrimination against indigenous people remains a problem. To date, the government's response to address discrimination in employment and remuneration has been largely insufficient.

Despite the fact that El Salvador has ratified both ILO core Conventions, child labour remains a widespread problem that the government has failed to address satisfactorily. In particular the persistence of the worst forms of child labour is a source of serious concern. The situation of girls working as domestics or prostitutes requires urgent and strong action as well as more financial resources from the government.

El Salvador has ratified both ILO core Conventions on forced labour. In practice forced labour occurs through the trafficking of human beings especially women and girls for the purpose of commercial sexual exploitation. There are allegations that working conditions in export processing zones could be assimilated to forced labour, indicating the need for stricter monitoring of the working conditions in these zones by the public authorities.

INTERNATIONALLY-RECOGNISED CORE LABOUR STANDARDS IN EL SALVADOR

Introduction

This report on the respect of internationally recognised core labour standards in El Salvador is one of the series the ITUC is producing in accordance with the Ministerial Declaration adopted at the first Ministerial Conference of the World Trade Organisation (WTO) (Singapore, 9-13 December 1996) in which the Ministers stated: “*We renew our commitment to the observance of internationally recognised core labour standards.*” The fourth Ministerial Conference (Doha, 9-14 November 2001) reaffirmed this commitment. These standards were further upheld in the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work adopted by the 174 member countries of the ILO at the International Labour Conference in June 1998.

The ITUC’s affiliates in El Salvador are the Central de Trabajadores Democráticos de El Salvador (CTD) and the Central Autónoma de Trabajadores Salvadoreños (CATS).

I - Freedom of Association and the Right to Collective Bargaining

In 2006 El Salvador ratified both ILO Convention No. 87 (1948), the Freedom of Association and Protection of the Right to Organise Convention and the ILO Convention No. 98 (1949), the Right to Organise and Collective Bargaining Convention.

Freedom of Association

The Constitution and Labour Code recognise the right of private sector workers and employees of autonomous public agencies to form trade unions.

However the situation of public workers is more complicated. In 2007 shortly after the government had ratified the Conventions, a decision was adopted by the Constitutional Chamber of the Supreme Court of Justice according to which the extension of the right of freedom of association to public employees who are not included among those enjoying this right under the Constitution is unconstitutional. Following international pressure, in 2009 the Legislative Assembly of El Salvador adopted an amendment to the Constitution addressing the incompatibility with ILO Convention No 87. The amendment provides for the rights guaranteed by Article 2 of Convention No 87 to be extended to workers in the public sector, while excluding certain specific categories of public sector workers. However the scope of the exceptions clause is broader than would be permitted under ILO Convention No 87, leaving some public workers deprived of their fundamental right to organise.

The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) has insisted that “*all public servants and officials should have the right to establish occupational organisations, irrespective of whether they are engaged in*

the state administration at the central, regional or local level, are officials of bodies which provide important public services or are employed in state-owned economic undertakings". According to the Conventions, the only possible exceptions from the guarantees of the Convention refer to the armed forces, the police and public servants engaged in the administration of the State. The Committee has therefore requested the Government to put its legislation in conformity with the Conventions.

In practice workers face several difficulties when wishing to set up a trade union. Before establishing a union, workers must obtain prior authorisation and follow complex procedures. Registration of legitimate unions is regularly refused on narrow procedural grounds. For example, in 2003 communication workers came together to form the Industrial Union of Communication Workers (SITCOM). When they applied for recognition, the Ministry of Labour issued a statement saying the formation of the union was invalid citing technical reasons. One of these reasons was the refusal of the Ministry to recognise radio station workers as part of the communication industry. In September 2006 members of SITCOM appealed the Ministry of Labour's denial of legal status to the union. Later the Supreme Court asked the president to grant legal status to SITCOM while the Ministry of Labour still continued to deny SITCOM legal status. In September 2007 workers asked the attorney general to prosecute the minister of labour for not complying with the court's order. The case is still pending.

In addition to excessive formalities, there are legal restrictions to the right to form a union. For example, among the requirements to obtain legal standing, unions must have a minimum of 35 members in the workplace and the members of unions' leadership bodies must be Salvadorian by birth. In addition, trade unions are prohibited from taking part in political activities. All these requirements are not in conformity with the Conventions. According to ILO jurisprudence the minimum membership to set up a union should be fixed in a reasonable manner so as not to hinder the establishment of workers' organisations. The CEACR took the view that on that point the current Salvadorian legislation is not in conformity with the Convention as there is a large proportion of small and medium-sized enterprises in the country whose number of workers do not exceed 50.

Anti-union discrimination is prohibited in law, even extending to the period before a trade union is legally recognised. Workers cannot, in theory, be dismissed if their names are on a union application in the process of registration. However, in practice there is considerable discrimination against workers on the grounds of their trade union membership or activities. The legal prohibition against such discrimination has not even begun to eliminate its widespread occurrence. Notwithstanding the longstanding recommendations of the ILO to the effect that reinstatement of dismissed workers is a necessary element of defence against unfair dismissal, the Labour Code does not require the reinstatement of illegally sacked workers, only that employers give the worker a severance payment.

As a result the ILO has reported cases of employers using illegal pressure to discourage trade union membership, including the dismissal of labour activists and the circulation of lists of workers who would not be hired because they had belonged to a union.

The right to collective bargaining

There are several restrictions of the right to bargain collectively.

The negotiation of collective agreements is restricted by the Labour Code which stipulates that in order to engage in collective bargaining for the first time, a union's membership must represent at least 51 percent of the workforce in the company or workplace. This is not in conformity with the Conventions. The CEACR has notified the government that if no union covers more than 50 per cent of the workers, collective bargaining rights should be granted to all the unions in the bargaining unit concerned, at least on behalf of their own members, and has asked the government to amend its legislation accordingly.

Likewise sections 287 of the Labour Code and 119 of the Civil Service Act are not in conformity with the Conventions. They stipulate that to be valid, collective agreements require the approval of the corresponding ministry and the prior opinion of the Ministry of Finance. Yet according to the CEACR a ministry's approval of agreements concluded freely between parties infringes the principle of free and voluntary negotiation under Article 4 of the Convention.

The right to strike

There are grave restrictions of the right to strike, including the requirement that 51 per cent of workers in the enterprise (whether or not they are members of a union) must support the strike. Again this is not in conformity with the Conventions. The CEACR has therefore requested the Government to take the necessary measures to amend the current legislation so as to ensure that when the decision is taken to call a strike, only the votes cast are taken into account and that the required quorum and majority are fixed at a reasonable level.

In addition, according to current legislation a strike can only be called if it concerns a change or renewal of a collective agreement or the defence of workers' professional interests. Yet according to the Conventions, organisations responsible for defending workers' socio-economic and occupational interests should, in principle, be able to use strike action to support their position in the search for solutions to problems posed by major social and economic policy trends which have a direct impact on their members and on workers in general, in particular as regards employment, social protection and the standard of living.

Furthermore under the current legislation strikes by public and municipal employees are prohibited. But according to the Conventions this prohibition can only apply to public servants exercising authority in the name of the State or to workers in essential services in the strict sense of the term, i.e. services whose interruption could endanger the life, personal safety or health of the whole or part of the population. As a result the CEACR has requested the government to amend the legislation accordingly.

Finally the law does not grant workers' organisations the right to appeal against any legal ruling declaring a strike illegal.

As a result of these many restrictions all strikes in El Salvador have been illegal.

Export processing zones (EPZs)

There are approximately 240 *maquila* plants in El Salvador, the majority of which are located in the country's 15 EPZs where 67,000 workers are employed. The absence of trade union rights and the bad working conditions in these zones have been the subject of numerous reports.

Although the right to collective bargaining is recognised in law, it is not applied in the EPZs, owing to the extreme anti-union discrimination practiced by employers and the government's abdication of its responsibility to defend the collective bargaining rights of workers active in these zones. Any attempt at organising is repressed, and if they attempt to form or join a union workers are threatened with dismissal or else with the closure of the company, which would leave everyone jobless. Various reports have referred to the sacking of union organisers. As a result there are no collective bargaining agreements in EPZs.

EPZ workers report verbal abuse, sexual harassment and, in a number of cases, physical abuse by supervisors. In 2000 a report on working conditions in EPZs carried out by the Labour Ministry itself was published and immediately retracted due to the reaction of EPZ companies. The report reiterated the severity of the problems faced by workers in EPZs including clear anti-union policy and threats of dismissal to workers planning to join or form a union.

In 2008 the Ministries of Labour and of the Economy concluded that approximately 10,000 workers in EPZs did not receive social security and other payment benefits to which they were legally entitled. The Attorney General's Office reported receiving 308 complaints and prosecuting 125 cases of non-payment.

The government does not allocate sufficient resources for adequate inspection and oversight to ensure respect for association and collective bargaining rights in EPZs. In addition serious allegations of corruption among labour inspectors persist.

Other issues relating to trade union rights in practice

The extension of flexible employment practices is working against freedom of association. Likewise subcontracting workers via third companies are also becoming a hindrance to freedom of association and collective bargaining. In such cases, the employers' responsibilities are diluted and totally unclear, since the management that workers have to deal with directly is not the legal employer. As a result, far from facilitating engagement in collective bargaining processes, these practices make it easier for the employer to deny the existence of the union.

Another obstacle to the observance of trade union rights is the labour inspectorate's failure to apply proper inspection procedures or enforce the law, ignoring anti-union behaviour and preferring not to fine big companies. Unions have complained they are not notified when inspections take place, while workers have reported that labour inspectors do

not even speak to the workers. Some trade unions have criticised the fact that the inspectors meet employers first, who give them generous gifts to purchase their silence.

Discriminatory "blacklists" are one of the tools used most frequently by employers against trade unions. By denying jobs to people with previous links to trade unions, companies are excluding virtually all trade unionists from the world of work, thus making it harder to create new unions. Various firms are involved in sending these lists to one another. Despite receiving repeated complaints, public institutions have done nothing to tackle this problem.

For several years municipal workers from the Municipal Workers Association (ATRAM) and the Salvadorian Association of Municipal Workers (ASRAM) have led protests at their workplaces over unfair dismissals and the lack of dialogue with municipal officials. Dialogue has not improved and working conditions have deteriorated.

On 15 January 2010, Victoriano Abel Vega, the General Secretary of SITRAMSA (Sindicato de trabajadores y Empleados Municipales de la Alcaldía de Santa Ana), was murdered on his way to San Salvador where he was due to attend a meeting with several other trade unionists in preparation for a complaints procedure regarding the unfair dismissal of several employees of the municipality of Santa Ana in breach of Conventions 87 and 98. He had been sent death threats in connection with his role as a trade union leader and his condemnation of the dismissals.

Finally several cases of violations of the trade unions' rights of workers employed in private security firms have been under examination by the ILO Committee on Freedom of Association. In its 2009 direct request to the Government, the CEACR states that these workers do not enjoy the right to form or join trade union organisations and requests the Government to take the necessary measures to redress the situation.

Conclusion

Although El Salvador has recently ratified the ILO core Conventions on trade union rights, they are still not being applied in practice. Some groups of workers in the public sector are not allowed to join the trade union of their choice and to bargain collectively. Workers in the private sector face many restrictions such as excessive formalities and requirements when wishing to exercise their trade union rights. There are many restrictions on the right to strike. Anti-union practices are widespread and public authorities do not intervene as they should. The law does not provide for the reinstatement of workers illegally dismissed because of their trade union membership or activities. Workers' fundamental rights are massively violated in export processing zones where the law is not enforced.

II - Discrimination and equal remuneration

In 2000 El Salvador ratified ILO Convention No 100, the Equal Remuneration Convention and in 1995 ILO Convention No 111, Discrimination in respect of Employment and Occupation.

The Constitution prohibits discrimination in the world of work on grounds of race, gender, nationality or religion. In practice however, discrimination on grounds of gender and ethnicity is pervasive.

Gender discrimination

National legislation does not refer to the principle of equal pay for work of equal value as stipulated in the Conventions. The CEACR has on several occasions asked the government to enshrine this principle in its legislation, unsuccessfully.

The Penal Code establishes a sentence of 6 months to 2 years for employers who discriminate against women in labour relations; however, it is difficult for employees to report such violations because they fear reprisals.

Females face societal discrimination in terms of education and employment. They have limited economic opportunities and face discrimination in remuneration.

A 2008 U.N. Development Programme (UNDP) study reported that women's labour participation rate has increased over the last 15 years up to 40% in 2006. However the rate of underemployment remains significantly higher for women (54% of the female workforce) than for men (47% of the male workforce). This indicates that women are overrepresented in low skill, poor-wage jobs such as those commonly found in informal employment relationships.

The same study estimated that in 2006 women's average wage was 88% of that of men.

UNDP studies also highlight a higher illiteracy rate for women than for men.

Female employees have testified to the discrimination in hiring faced by women, including by some government agencies which have had direct orders to give preference to male candidates. According to the government women occupy less than 20% of managerial posts.

The Government does not have a national policy on equality of opportunity and treatment specifically directed at the public sector, the only basis used being the general national policy on equality of opportunity.

Export processing zones are staffed at a level of approximately 90% by women. Virtually all management positions are occupied by men, and female workers are subject to appalling conditions. Many women have been subject to mandatory pregnancy testing, and are not hired if they are pregnant or are dismissed if they become pregnant while already employed.

Many women workers in EPZs are victims of sexual harassment. The Government has organised seminars with the purpose of providing labour inspectors with training on inspection techniques with regard to cases of discrimination and harassment in the workplace, and on legislation regarding the labour rights of women workers applicable in the maquila sector. However to date the action of the government has been largely insufficient to enforce the legislation and ensure respect of women workers' rights in the EPZs.

The labour code excludes domestic workers from many of the most basic labour rights. For example, they do not enjoy the right to the eight-hour workday or the forty-four-hour work week guaranteed in Salvadoran law, and they commonly receive wages that are lower than the minimum wages in other sectors of employment. The exclusion of all domestic workers from these rights denies them equal protection of the law and has a disproportionate impact on women and girls, who constitute over 90% of domestic workers.

Discrimination against indigenous people

Indigenous people in El Salvador face discrimination in employment, access to productive resources and education. There are reports that indigenous rural labourers are paid less than non-indigenous ones. Indigenous women in particular have little access to educational and work opportunities due to cultural practices, lack of resources, and rural underdevelopment. As with the poor rural sector in general, access to land is a problem for indigenous people. Government's efforts to tackle those problems have been largely insufficient.

Conclusions:

Although El Salvador has ratified both ILO core Conventions in this area, women and indigenous people still face serious discrimination in employment and remuneration. In 2006 women were reported to earn only 88% of men's average wage. They are overrepresented in low-skilled, low-wage jobs. Women face appalling working conditions in EPZ. Domestic workers, 90% of whom are girls and women, are excluded from most basic labour rights. Discrimination against indigenous people remains a problem. To date, the government's response to discrimination in employment and remuneration has been largely insufficient.

III - Child labour

In 1996 El Salvador ratified the ILO core Convention No 138, the Minimum Age for Admission to Employment Convention and in 2000 ILO Convention No 182, the Elimination of the Worst Forms of Child Labour Convention.

The minimum age for employment is 14. Education is compulsory and in principle free until the age of 14. In practice however, there are mandatory fees to cover some costs, which often prevent the children of poor families from attending school.

According to UNICEF statistics for 2006, the gross primary school enrolment rate is 93% for both girls and boys, while the rates for secondary school are 54% for girls and 52% for boys.

Children from the age of 12 are allowed to engage in light work as long as it does not harm their health or interfere with their education. Children under 18 are prohibited from working at night or in occupations considered hazardous. The law limits the workday to 7 hours for youths between 14 and 16 years of age.

The Ministry of Labour is responsible for enforcing child labour laws; in practice, labour inspectors focus almost exclusively on formal work, where child labour is rare.

In September 2003, the Minister of Labour conceded that 67 out of 100 children younger than 18 were engaged in some form of work, including family household work.

Orphans and children from poor families frequently work as street vendors and general labourers in small businesses, mainly under informal conditions. Children in these circumstances often do not complete schooling.

According to a study conducted in 2005 and 2006 in households in the country, the number of children between the ages of 5 and 17 years engaged in work fell from 222,475 in 2001 to 205,009 in 2006. The results indicated that the majority of children are engaged in work in rural areas and in unpaid activities: 132,015 children between the ages of 5 and 17 years worked in rural areas in agriculture and commerce, with 72,994 children working in urban areas, in manufacturing and commerce.

Child labour in El Salvador includes the worst forms of child labour, such as fireworks manufacture, sugarcane farming, work in garbage dumps and prostitution.

In 2004, Human Rights Watch (HRW) reported the case of girls, some as young as age 9, working as domestics. The report highlighted how vulnerable these girls are to physical or sexual abuse.

Based on statistical projections, the ILO/IPEC concluded in 2005 that approximately 21,500 youths (mostly girls) between the ages of 14 and 19 worked in domestic service. Nearly one-quarter of the domestic workers surveyed by the ILO/IPEC began working between the ages of 9 and 11; over 60% were working by the age of 14.

Although the ILO/IPEC study on domestic work concluded that its use outside the home was among the worst forms of child labour, the Salvadoran government has not identified domestic labour as one of the priority areas in the fight against child labour. In its 2009 Observation to the government, the CEACR urged public authorities to take effective and time-bound measures to protect children working as domestics from the worst forms of child labour.

In 2004 Human Rights Watch reported that up to one-third of sugarcane workers were children under the age of 18. Children as young as 8 years old used machetes to cut cane, working for up to 9 hours each day in the hot sun. Gashes on the hands and legs were reported to be common. Recently statistics from the Ministry of Education affirmed that child labour in the sugarcane industry dropped by 70% between 2003 and 2008.

There are credible reports of child prostitution and trafficking in children. The ILO/IPEC is running a project in El Salvador on the prevention and elimination of the commercial sexual exploitation of children.

Although the Government participates in ILO/IPEC initiatives and projects on the elimination of child labour, it does not devote adequate resources to enforce effectively child labour laws especially in agricultural work and in other informal economic activities. None of the 159 labour inspectors specifically worked on child labour issues. In its 2009 Observations to the government, the CEACR has expressed concern at the persistence of child labour in practice.

Conclusion:

Despite the fact that El Salvador has ratified both ILO core Conventions in this area, child labour remains a widespread problem in the country that the government has failed to address satisfactorily. In particular the persistence of the worst forms of child labour is a source of serious concern. The situation of girls working as domestics or prostitutes requires urgent and strong action as well as more financial resources from the government.

IV – Forced Labour

In 1995 El Salvador ratified ILO Convention No 29, the Forced or Compulsory Labour Convention, and in 1958 Convention No 105, the Abolition of Forced Labour Convention.

The constitution prohibits forced or compulsory labour, including by children, except in the case of natural catastrophe and other instances specified by law.

In several aspects though, the country's legislation is not in conformity with the Conventions.

Section 247 paragraph 2 of the Penal Code provides for a prison sentence of one to three years to be imposed on persons who, acting in concert, coerce other persons to initiate or continue a strike, work stoppage or suspension of work, while under section 107 of the Prisons Act, convicted prisoners are under an obligation to work. This is in contradiction with the Conventions which prohibit the imposition of labour, including compulsory prison labour, upon persons sentenced for having participated in strikes. The CEACR has asked the government to modify its legislation accordingly.

Trade union organisations have argued that production targets set in maquila companies requiring employees to work beyond the ordinary working day, without pay and under threat of dismissal, could be assimilated to a situation of compulsory labour. The CEACR has requested the Government to provide information on that issue including the average number of additional hours worked by workers in the maquila sector and to indicate the measures taken or envisaged to protect workers in this sector against the imposition of compulsory labour. Up to date, the government has failed to reply.

In 2003, the Legislative Assembly penalised trafficking in persons. The law covers all forms of trafficking. According to governmental information, 11 sentences of three to nine years' imprisonment were imposed during the period covering October 2006 to March 2008 for crimes related to trafficking of human beings.

A Strategic Plan against Trafficking in Persons was adopted covering the period 2008-12 and developed with assistance from the International Organisation for Migration and the ILO. The objective of this Strategic Plan is to create conditions and instruments that can contribute to the eradication of trafficking in persons.

Yet trafficking of human beings remains a serious problem in practice. In particular, children and women are trafficked for the purpose of sexual commercial exploitation. Groups at special risk for trafficking are girls and young women from 12-18 years of age, persons from rural and poor areas, single mothers in poor areas, adolescents without formal schooling, adolescent mothers, unemployed young men, and young foreign girls.

Government agencies directly responsible for combating trafficking are in general poorly funded.

Conclusion

El Salvador has ratified both ILO core Conventions on forced labour. In practice forced labour occurs through the trafficking of human beings especially women and girls for the purpose of commercial sexual exploitation. There are allegations that working conditions in export processing zones could be assimilated to forced labour, calling for stricter monitoring of the working conditions in these zones by the public authorities.

RECOMMENDATIONS

1. The government must put its legislation into conformity with ILO Convention 87 and 98
2. All workers in the public sector must have the right to form and join a trade union and to bargain collectively.
3. The government should encourage and promote collective bargaining at the sectoral and national levels.
4. Procedures for the registration of a trade union need to be simplified.
5. The government must amend the legislation and lower the current minimum number of members required at the workplace in order to establish a trade union.
6. The government must introduce in the legislation the legal obligation to reinstate workers illegally sacked on the grounds of their trade union activities or membership.
7. The government must amend the legislation and eliminate the legal obligation for trade unions to represent at least 51% of the workers in order to engage in collective bargaining for the first time.
8. The legislation must be amended so as to ensure that the validity of a decision calling a strike is assessed on the basis of the number of votes cast by the workers.
9. The government must put the legislation in conformity with ILO jurisprudence and ensure that strikes are prohibited only for public service workers engaged in public services in the strict sense of the term.
10. The government should ensure that workers are allowed to strike in order to defend their social, economic and occupational interests.
11. The government should ensure that workers are granted the right to appeal against a decision declaring a strike illegal.
12. The government must ensure that labour law is enforced in export processing zones.
13. The legislation must be amended so as to ensure that the principle of equal pay for work of equal value is enshrined urgently in national legislation.
14. The government must strengthen its efforts so as to reduce the gender pay gap, including by promoting the principle of equal pay for work of equal value in collective agreements.
15. The government must increase its efforts and budget to redress women's unfavourable position on the labour market.
16. The government must dedicate more resources to the eradication of racial discrimination at the workplace and in the labour market.

17. The government must take all necessary measures to enforce its legislation on child labour. As a matter of urgency legislation on the minimum age for domestic child work must be adopted and enforced.
18. Additional policies and programmes must be devised and funded adequately to eliminate as a priority the worst forms of child labour including domestic work and prostitution.
19. More programmes and funds should be directed toward assistance to enable children currently employed to resume their educational activities.
20. The government must step up its efforts and budget to tackle the issue of trafficking in human beings.
21. The government must ensure that no penalty of imprisonment with compulsory labour is imposed for workers having participated in strike.
22. In line with the commitments accepted by El Salvador at the Singapore WTO Ministerial Conference and its obligations as a member of the ILO, the government of El Salvador should provide reports to the WTO and the ILO on its legislative changes and implementation programmes with regard to the above areas.
23. The WTO should draw the attention of the authorities of El Salvador to the commitments they undertook to observe core labour standards at the Singapore and Geneva WTO Ministerial Conferences. The WTO should request the ILO to intensify its work with the government of El Salvador in these areas and provide a report to the WTO General Council on the occasion of the next trade policy review.

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