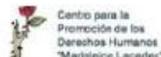


El Salvador

**PROPOSAL FOR
REFORMS TO THE
GOVERNMENT
REPARATIONS
PROGRAM**

**(EXECUTIVE DECREE
NO. 204 FROM 2013)**

May 2021



the 1990s, the number of people with a mental health problem has increased in the UK, and this is expected to continue in the future (Mental Health Foundation, 2005).

There is a need to improve the lives of people with mental health problems, and to reduce the stigma and discrimination that they experience. This is a key aim of the UK Government's Mental Health Strategy (Department of Health, 2005).

One of the ways in which this can be achieved is by providing people with mental health problems with the support and services that they need. This can be done through a range of different approaches, including:

- providing people with the information and advice that they need;
- providing people with the support and care that they need;
- providing people with the opportunities that they need to improve their lives.

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PROPOSED REFORMS TO THE GOVERNMENT REPARATIONS PROGRAM (EXECUTIVE DECREE NO. 204 OF 2013)

El Salvador
May 2021

SUMMARY: I. Background; II. Main demands of victims' organizations and associations; III. Statement of proposals; IV. Proposed amendments to Executive Decree No. 204 of 2013.

I. Background

Executive Decree No. 204 of 2013¹ ("E.D. 204/2013"), which created the Reparations Program for Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict ("the Reparations Program"), acknowledged "the existence of a group of victims [...] who should receive reparations."² In 2016, several changes were made to the Program under Executive Decree No. 36.³

The three main areas covered by E.D. 204/2013 are:

1. Establishing the reparation measures and defining the institutional responsibilities for their implementation;⁴
2. Creating the Victims Registry;⁵
3. Establishing the governance of the Victims Registry, through a Board of Directors, and the mechanism to ensure compliance with the measures.⁶

The decree stipulated that the Board of Directors (CODREVIDH) would consist of:

- a. A representative of the Department of Social Inclusion of the Presidency of the Republic, as coordinator of the Board;
- b. A representative of the Ministry of Foreign Affairs;
- c. A representative of the Ministry of Economy, specifically from the Statistics and Census Bureau;
- d. Two individuals from civil organizations representing victims, selected by the victims themselves.

When the current administration took office, important changes were made in the institutions connected to E.D. 204/2013. When the Department of Social Inclusion was abolished in June 2019, its reparations tasks were taken over by the newly created Ministry of Local Development. In addition, the Social Investment Fund (FISDL), responsible for the payment of compensation under the Reparations Program, has been gradually absorbed by the Ministry of Local Development.

II. Main demands of victims' organizations and associations

¹ Executive Decree No. 204 of October 23, 2013, published in Official Gazette No. 197, Volume No. 401 of October 23, 2013.

² Whereas Clause IV, E.D. 204/2013.

³ Executive Decree No. 36 of June 1, 2016, published in Official Gazette No. 102, Volume No. 411 of June 2, 2016.

⁴ Arts. 1, 2, 6 – 19, E.D. 204/2013.

⁵ Art. 3 E.D. 204/2013.

⁶ Arts. 3(1), (4), (21), E.D. 204/2013.

According to information systematized by the authors of this proposal, since the initial implementation of the Reparations Program, various victims' associations and human rights organizations working on the agenda related to the armed conflict have been requesting improvements including the following:

1. Administer the Reparations Program through a law passed by the Legislature rather than just by Executive Decree;
2. Elevate the Board of Directors of the Victims Registry, to make it a more powerful decision-making body;
3. Include victims and surviving family members who, for various reasons, could not register in the early phases;
4. Increase the amount of cash transfers;
5. Urgently provide access to scholarships for the children and grandchildren of victims;
6. Improve hospital care for victims; such care should be specialized and differentiated from that received by war veterans and former combatants;
7. Include victims who are already registered among the beneficiaries of agricultural packages and programs to enhance productive capacities;
8. Open military archives and provide access to information on events that involved the commission of serious human rights violations, particularly torture, forced disappearances, summary and extrajudicial executions, and massacres;
9. Make progress in acknowledging responsibility and offering apologies.

In July 2020, human rights organizations and various victims requested a meeting with President Nayib Bukele Ortez, in which they hoped to discuss the importance of safeguarding the information in the Victims Registry, as well as the continuity of the Reparations Program that was underway.⁷ In October 2020, organizations from the umbrella group *Pro-Memoria Histórica* requested a meeting with the Minister of Local Development, Ofelia Navarrete, to discuss the implementation of Executive Decree 204. This meeting was held one month later, and they agreed to continue the dialogue on the Program and to resume the formation of the Board, among other issues.

Given how important the Reparations Program is for victims of the armed conflict and recognizing that certain aspects of this Program can be modified to comply with the relevant standards and adapted to the provisions of the new executive decree, we submit the following proposals.

⁷ See El Mundo. *Las cuatro peticiones de las víctimas del conflicto armado al presidente Bukele* [The four requests made by victims of the armed conflict to President Bukele]. July 24, 2019. Available at: <https://diario.elmundo.sv/las-cuatro-peticiones-de-las-victimas-del-conflicto-armado-al-presidente-bukele/>; see also Izcanal. *Organizaciones demandan a Bukele dar continuidad a medidas de reparación de víctimas de la Guerra* [Organizations call on Bukele to ensure continuity of reparation measures for war victims]. June 27, 2019. Available at: <https://www.izcanal.org/organizaciones-demandan-a-bukele-dar-continuidad-a-medidas-de-reparacion-de-victimas-de-la-guerra/>.

III. Statement of proposals

The following is the current outline of E.D. 204/2013, with the proposals for improvement and their rationales:

CURRENT STATUS	PROPOSAL	RATIONALE
I. Victims Registry, governance of the Registry and monitoring of measures		
1. Victims Registry		
Existence of a Registry of Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict	Maintain the Registry, ensuring the safekeeping of the victims' information and changing the entity responsible for it.	<p>The creation and improvement of the Victims Registry has been a multi-year process. The registration of victims in the Registry has required joint efforts with the organizations and associations representing the victims.</p> <p>Victims and national and international human rights organizations need to have confidence in the entity responsible for the Registry and the entity must be responsive to the victims' rights.</p>
2. Board of Directors		
<p>Under the Decree, the Victims Registry is organized and managed by a Board of Directors (CODREVIDH), composed of:</p> <ul style="list-style-type: none"> a) A representative of the Presidency of the Republic, from the Department of Social Inclusion, who will coordinate the Board; b) A representative of the Ministry of Foreign Affairs; 	<p>Creation of a National Board for Comprehensive Reparations to Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict, whose Executive Director and members will serve pro bono, with the authority to:</p> <ul style="list-style-type: none"> 1. Propose that the President of the Republic approve the National Reparations Policy of the Executive Branch, with the full 	<p>Effectively implementing reparation measures requires that there be an entity at the highest political level capable of convening and coordinating the heads of the ministries responsible for that implementation so the victims can obtain adequate reparations.</p> <p>One obstacle CODREVIDH faced was its limited authority, which was primarily related to coordinating and managing the Registry (Art. 3, paragraph 3); evaluating the inclusion</p>

CURRENT STATUS	PROPOSAL	RATIONALE
<p>c) A representative of the Ministry of Economy, specifically from the Statistics and Census Bureau.</p> <p>d) Two regular delegates and two alternates from civil organizations representing the victims (specifically from those comprising the group <i>Comisión de Trabajo Pro-Memoria Histórica</i>).</p>	<p>participation of the victims and their representatives;</p> <ol style="list-style-type: none"> 2. Prepare, implement, and monitor the Implementation Plan for Comprehensive Victim Reparation Measures; 3. Coordinate and direct the National Victims Registry; 4. Define and implement mechanisms to facilitate the incorporation of victims into the Registry; 5. Evaluate and decide on applications to include victims in the Registry; 6. Establish and facilitate dialogue with victims and the associations and organizations that represent them, ensuring their participation in decision-making; 7. Approve and implement the procedural instructions for the selection of delegates from victims' organizations or associations to serve on the Board; 8. Evaluate and decide on requests from victims' organizations and associations; 9. Report to the President of the Republic, every six months, on the progress, 	<p>of victims in the Registry (Art. 5); and granting accreditation to new civil human rights organizations as victims' representatives (Art. 20, paragraph 2).</p> <p>It is therefore proposed that the new Board be a "National Reparations Board," with expanded authority to ensure that institutions effectively comply with the reparation measures for which they are responsible.</p> <p>In addition, Executive Decree 1 of 2019⁸ amended the Internal Regulations of the Executive Branch (RIOE), abolishing the Department of Social Inclusion of the Presidency of the Republic⁹ and creating the Ministry of Local Development¹⁰ which—among other things—has the authority to "carry out the duties established in the laws or regulations of the former National Ministry of the Family or the Department of Social Inclusion."¹¹</p> <p>However, the National Board should be coordinated at a higher political level. Under</p>

⁸ Executive Decree No. 1 of June 2, 2019, published in Official Gazette No. 101, Volume No. 423 of June 2, 2019.

⁹ Art. 10 E.D. 1/2019, amending Art. 46 of the RIOE.

¹⁰ Art. 5 E.D. 1/2019, amending Art. 28(16) of the RIOE.

¹¹ Art. 9 E.D. 1/2019 adding Art. 45-E to the RIOE.

CURRENT STATUS	PROPOSAL	RATIONALE
	<p>obstacles, and proposed solutions to ensure effective compliance with the reparation measures.</p> <p>The National Board will be composed of:</p> <ol style="list-style-type: none"> 1. The Presidential Commissioner for Government Operations and Cabinet, who will serve as its coordinator; 2. The Minister of Foreign Affairs; 3. The Minister of Local Development; 4. The Minister of Health; 5. The Minister of Education, Science, and Technology; 6. The Minister of the Economy; 7. Five representatives of civil society selected by organizations or associations representing victims. <p>The Board will meet four times a year in regular session and in special session when necessary.</p>	<p>Arts. 2 and 4 of E.D. 3/2019,¹² the Presidential Commissioner for Government Operations and Cabinet has all the powers to coordinate the National Board and ensure effective compliance with the reparation measures.¹³</p> <p>It is also proposed that the National Board be composed of the heads of the Ministries in charge of the main reparation measures. Other institutions responsible for the measures may participate in meetings of the National Board, as guests with the right to speak but not to vote, to avoid creating an imbalance with respect to the decisions of the victims.</p> <p>Victim representation should be broadened to ensure that victims are more involved in the discussion and decision-making process.</p>
<p>3. Technical Committee</p>		

¹² Executive Decree No. 3 of June 2, 2019, published in Official Gazette No. 101, Volume No. 423 of June 2, 2019.

¹³ Cfr. **Art. 2:** “The Presidential Commissioner shall have the following powers: (a) Coordinate the institutions of the executive branch in order to comply with the Government’s General Plan; (b) Define and promote processes and mechanisms for inter-institutional coordination and linkage within the executive branch, relying on more comprehensive and efficient management to ensure compliance with the objectives of the Government’s General Plan; [...] (d) Collaborate in the design of public policies that support improved compliance with the Government’s General Plan; (e) Promote dialogue, consultation, negotiation, and the structuring of agreements on issues of strategic importance for the country’s development [...]”; **Art. 4:** The Presidential Commissioner may convene the heads of the different institutions of the executive branch to create plans, policies, and strategies to discharge the duties assigned to him or her.”

CURRENT STATUS	PROPOSAL	RATIONALE
<p>E.D. 204/2013 did not provide for a Technical Committee, which was created by the CODREVIDH Rules of Procedure.</p> <p>Its duties included implementing the resolutions issued by the Board of Directors; organizing and coordinating the process for selecting the delegates from civil organizations that represent victims; and carrying out any other activities entrusted to it by the Board of Directors.</p>	<p>Include in the E.D. the creation of a Technical Committee to ensure the operational implementation of the resolutions of the National Board.</p> <p>It is proposed that this Committee be composed of:</p> <ol style="list-style-type: none"> 1. One senior-level representative from each ministry that is a member of the National Board. 2. The Director of the Statistics and Census Bureau. 3. Five representatives of victims' organizations or associations. 	<p>There should be a body that implements the resolutions of the National Board; follows up on measures; facilitates dialogue between institutions; solves problems; assists victims; and prepares reports and proposals, among other tasks.</p>
4. Monitoring Committee		
<p>Art. 21 of E.D. 204/2013 established that "to ensure compliance with this Decree, a working group is established, composed of:</p> <ol style="list-style-type: none"> 1. A representative of the Presidency of the Republic, in charge of social inclusion issues, to serve as the group's coordinator. 2. A representative of the Ministry of Foreign Affairs. 3. Two delegates from the civil organizations mentioned in Article 20 of this Decree." 	<p>Assign the role of monitoring to the National Board and its Technical Committee.</p>	<p>The monitoring committee was never formally installed, since the members of the Board of Directors would have been the same people who would also serve on the monitoring committee, except for the person representing DIGESTYC, and there was a consensus that it would be time-consuming to duplicate meetings and work mechanisms.</p> <p>In practice, the members of CODREVIDH themselves were responsible for monitoring the measures, and these issues were included on the Board's agendas.</p>
II. Rehabilitation measures		

CURRENT STATUS	PROPOSAL	RATIONALE
1. Right to health		
<p>Under the responsibility of the Ministry of Health (MINSAL), under Art. 7 E.D. 204/2013.</p> <p>In 2019, MINSAL issued the “Technical guidelines for the care of victims of serious human rights violations,” making the “Unit for the Care of War Veterans (UAVG)” responsible for the management of health care.</p>	<p>Include the creation of the Unit for the Care of Victims of Serious Human Rights Violations committed during the internal armed conflict as the entity responsible for managing health care for victims.</p>	<p>Civilian victims and their representatives have asked, on multiple occasions, for their care to be separated from services for war veterans, insisting on their civilian nature and preventing encounters between the groups, including between victims and their own victimizers.</p> <p>A separate unit would also help care providers in different regions to better serve victims directly, understanding the specialized and differentiated approach required for their care.</p>
2. Right to education		
<p>Under the responsibility of the Ministry of Education, Science, and Technology (MINEDCYT) and the Presidency of the Republic.</p> <p>Art. 8. Establishes the creation of a “Subprogram of scholarships for undergraduate and graduate studies at the national level, aimed at young members of families in the Victims Registry.”</p>	<p>Expand the scholarship subprogram for middle and secondary education to include the payment of transportation, meals, and textbooks and/or specialized materials.</p> <p>Reformulate scholarship requirements to match the profile of the victims and their children and grandchildren.</p>	<p>Most children and grandchildren of the victims have low levels of formal education, and scholarships for “undergraduate and graduate studies” are a very limited measure in terms of their practical application.</p> <p>The victims have maintained that scholarships should be used to ensure that children, adolescents, and young adults—especially those living in rural and/or peri-urban areas—have access to education at all levels, facilitating the conditions for them to complete their formal education.</p>
III. Compensation measures		

CURRENT STATUS	PROPOSAL	RATIONALE
<p>1. Compensation scheme</p>		
<p>Under Art. 10, compensation, to be provided by the Social Investment Fund for Local Development (FISDL), was envisaged in E.D. 204 as a cash transfer based on 3 eligibility requirements:</p> <ol style="list-style-type: none"> 1. Persons over 55: US\$50 per month; 2. Families with children under 5 or expectant mothers; 3. Families with children between 5 and 16 years of age. <p>This was later amended by Executive Decree No. 36 of 2016, which added that the cash transfer would be granted “based on the status of victim of serious human rights violations of the internal armed conflict.” It also added the category of “victims under 55,” with a monthly amount of \$15 per person.</p> <p>Whether the transfer would be \$15 or \$20 per month depended on the number of children and the combination of the circumstances in numbers 2 and 3 above.</p>	<p>An increase in the amount of the allowance is proposed.</p>	<p>The amount does not meet the standards for it to be considered a compensation or reparation measure. It should be expressed in percentages of the minimum monthly salary in effect in the trade and services sector, so it can be automatically updated when the minimum salary in the country is increased.</p>
<p>IV. Measures to restore dignity</p>		
<p>1. Culture</p>		

CURRENT STATUS	PROPOSAL	RATIONALE
<p>Art. 11, under the responsibility of the Presidency of the Republic, through the department in charge of cultural affairs.</p>	<p>Amend to specify that it is under the responsibility of the Ministry of Culture.</p>	<p>Executive Decree No. 1 of 2018,¹⁴ which amended the Internal Regulations of the Executive Branch, created the Ministry of Culture, whose responsibilities include "promoting historical memory and strengthening identity processes locally and nationally."¹⁵</p> <p>Therefore, it should not be under the responsibility of the Presidency of the Republic.</p>
<p>1. Military training</p>		
<p>According to Art. 17, under the responsibility of the Ministry of National Defense.</p>	<p>The military curriculum should include learning about what happened during the armed conflict as described in the Report of the Truth Commission, reports of the Office of the Human Rights Ombudsperson (PDDH), judgments against El Salvador of the Inter-American Court of Human Rights (IACHR), and other United Nations documents.</p>	<p>For many years, the Armed Forces and other actors in El Salvador have systematically denied the human rights violations that occurred and the existence of victims who have rights under national law and international treaties. It is important to include a plural and self-critical view of the past.</p>
<p>V. Civil organizations</p>		
<p>Article 20, paragraph 2 establishes that "applications for new civil human rights organizations to be accredited as victims' representatives, and from natural persons seeking to be included in the Registry, must be</p>	<p>The proposal is to amend the subsection to state that they must be submitted to the National Board.</p>	

¹⁴ Executive Decree No. 1 of January 17, 2018, published in Official Gazette No. 12, Volume No. 418 of January 18, 2018.

¹⁵ Art. 45-C, Internal Regulations of the Executive Branch.

CURRENT STATUS	PROPOSAL	RATIONALE
submitted in writing to the Board of Directors of the Victims Registry, which will process them accordingly [...].”		

IV. Proposed amendments to E.D. 204/2013

DECREE No. _____

THE PRESIDENT OF THE REPUBLIC OF EL SALVADOR,

WHEREAS:

- I. The Constitution of the Republic recognizes the human person as the origin and purpose of the activity of the State, which is organized for the attainment of justice, legal certainty, and the common good;
- II. El Salvador is a State Party to the American Convention on Human Rights, among other international norms, which recognizes the obligation to make full reparations to the victims of serious human rights violations when the State is responsible, by act or omission;
- III. In several judgments in which the Salvadoran State has been found responsible for serious human rights violations, the Inter-American Court of Human Rights has ordered the adoption of comprehensive reparation programs for the victims;
- IV. The Truth Commission for El Salvador established that there were serious acts of violence and human rights violations during the internal armed conflict, maintaining that justice for such cases was not limited to criminal penalties, as the victims and their families had the right to pecuniary and non-pecuniary redress;
- V. Resolution 60/147 of the United Nations General Assembly, adopted on December 16, 2005, entitled Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, establishes that reparations may take the form of restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition;
- VI. Executive Decree No. 204 of October 23, 2013, published in Official Gazette No. 197, Volume No. 401, of October 23, 2013, created the Reparations Program for Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict and the Victims Registry, which was later amended by Executive Decree No. 36 of June 1, 2016, published in Official Gazette No. 102, Volume No. 411, of June 2, 2016;
- VII. The Inter-American Commission on Human Rights has recommended that the State of El Salvador develop a comprehensive reparations policy that considers the multiple dimensions of harm suffered by the victims;
- VIII. Fabian Salvioli, United Nations Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence, has noted that the scope of the Reparations Program is limited and insufficient due to the lack of an outreach process for victims to be informed and register, resulting in very few people being registered in the census, and that the sums paid to victims as compensation are meager and lower than those allocated to war veterans;
- IX. The Government of the Republic undertakes to fulfill its mandate to respect, guarantee, protect, and promote the human rights of civilian victims of the internal armed conflict by granting them due reparations;
- X. Existing measures must be brought into line with international human rights standards to accomplish their purpose of providing reparations to victims and to more effectively guarantee the implementation and monitoring of such reparations;

THEREFORE,

in the exercise of his constitutional powers,

DECREES the following:

AMENDMENTS TO THE COMPREHENSIVE REPARATIONS PROGRAM FOR VICTIMS OF SERIOUS HUMAN RIGHTS VIOLATIONS COMMITTED DURING THE INTERNAL ARMED CONFLICT

Art. 1.- Add a third and a fourth paragraph to Art. 2, as follows:

“The established reparation measures do not replace specific reparation measures that have been or may be established by national or international justice mechanisms.”

“All the institutions of the executive branch shall cooperate with the search actions undertaken pursuant to this Decree, within their respective areas of responsibility, including facilitating access to archives.”

Art. 2.- Replace the first paragraph of Art. 3 with:

“The National Registry of Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict, hereinafter “the National Victims Registry” or “the Registry,” is created under the responsibility of the National Board for Comprehensive Reparations to Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict.”

Art. 3.- Replace Art. 4, with:

“Art. 4.- The National Board for Comprehensive Reparations to Victims of Serious Human Rights Violations Committed during the Internal Armed Conflict is created, to be headed by a General Director and composed of the following persons:

- 1) The Presidential Commissioner for Government Operations and Cabinet, who will serve as its coordinator;
- 2) The Minister of Foreign Affairs;
- 3) The Minister of Local Development;
- 4) The Minister of Health;
- 5) The Minister of Education, Science, and Technology;
- 6) The Minister of the Economy;
- 7) Five representatives of civil society selected by organizations or associations representing victims.

In exceptional cases, ministers may be replaced by their respective deputy ministers.

The representatives and alternates of the organizations or associations representing victims shall be elected for two-year terms and may be re-elected.

The National Board will meet four times a year in regular session and in special session when necessary. Other ministries responsible for the measures may be invited to the meetings to participate with the right to speak but not to vote, as may the Human Rights Ombudsperson.

Art. 4.- Add an Article 4-B, as follows:

“POWERS OF THE NATIONAL BOARD

Art. 4-B.- The National Board has the power to:

1. Propose that the President of the Republic approve the National Reparations Policy of the Executive Branch, with the full participation of the victims and their representatives;
2. Prepare, implement, and monitor the Implementation Plan for Comprehensive Victim Reparation Measures;
3. Coordinate and direct the National Victims Registry;
4. Define and implement mechanisms to facilitate the incorporation of victims into the Registry;
5. Evaluate and decide on applications to include victims in the Registry;
6. Establish and facilitate dialogue with victims and the associations and organizations that represent them, ensuring their participation in decision-making;
7. Approve the procedural instructions for the selection of delegates from victims' organizations or associations to serve on the Board;
8. Evaluate and decide on requests from victims' organizations and associations;
9. Report to the President of the Republic, every six months, on the progress, obstacles, and proposed solutions to guarantee effective compliance with the reparation measures."

Art. 5.- Add an Article 4-C:

"TECHNICAL COMMITTEE

Art. 4-C.- The National Board will be supported by a Technical Committee, composed of one senior-level delegate from each of the Board's member institutions, in addition to the Director of the Statistics and Census Bureau.

The Technical Committee has the power to:

1. Implement the resolutions of the National Board addressed to it;
2. Draft proposals for policies, plans, protocols, and other instruments entrusted to it by the National Board, to be submitted for its consideration and approval;
3. Organize and coordinate the process for selecting the delegates from civil organizations that represent victims;
4. Coordinate victim assistance mechanisms and mechanisms for the resolution of any difficulties victims may face in accessing reparation measures;
5. Carry out any other activities entrusted to it by the Board of Directors.

The Technical Committee will meet once a month in regular session and in special session when necessary. It may invite the Human Rights Ombudsperson and persons or institutions renowned for their experience in the defense of victims' human rights to its meetings to provide expert advice or opinions."

Art. 6.- Article 7, amend paragraph (b) and add paragraph (c), as follows:

"b) Create the Unit for the Care of Victims of Serious Human Rights Violations committed during the internal armed conflict as the entity responsible for the specialized management of health care for victims and for the departmental coordination mechanism under the responsibility of the Regional Health Departments and the Basic Comprehensive Health Systems (SIBASI), to promote dialogue with the victims and/or their representatives.

c) The Unit for the Care of Victims of Serious Human Rights Violations will promote the development of specialized capabilities to provide appropriate psychosocial support to victims, to help them recover emotionally from the harm they have suffered.

Art. 7.- Replace the first paragraph of Article 8, as follows:

“The Presidency of the Republic, through the respective department, will administer the following scholarship subprograms for children, adolescents, and young adults who are relatives of victims in the Registry:

- a) Scholarship subprogram for middle and secondary education, to include the payment of transportation, meals, and textbooks and/or specialized materials;
- b) Scholarship subprogram for undergraduate and graduate studies at the national level.”

Art. 8.- Replace the second paragraph of Article 10 with:

“The cash transfer will be granted based on the status of victim of serious human rights violations of the internal armed conflict, according to the characteristics of the victims and their family group, and will be calculated based on the allowance established for veterans and former combatants in Article 5 of the Special Law governing the benefits and social welfare of military veterans of the armed forces and former combatants of the Farabundo Martí National Liberation Front who participated in the internal armed conflict in El Salvador from January 1, 1980 to January 16, 1992, as follows:

1. For victims over 55 years of age, during the first year, the monthly dollar amount equivalent to 68% of the allowance established for veterans and former combatants, with an increase in the second year to the monthly dollar amount equivalent to 84% of the allowance established for veterans and former combatants; and as of the third year, the monthly dollar amount equivalent to 100% of the allowance established for veterans and former combatants.
2. For victims under 55, the monthly dollar amount equivalent to 36% of the allowance established for veterans and former combatants, with an annual increase of the monthly dollar amount equivalent to 16% until reaching the monthly dollar amount equivalent to 100% of the allowance established for veterans and former combatants.
3. For families with a maximum of 3 children under 5, or an expectant mother, the monthly dollar amount equivalent to 10% of the allowance established for veterans and former combatants per family, paid to the person responsible for the children; if the family has more than 3 children under 5, it will be entitled to a monthly dollar amount equivalent to 14% of the current minimum monthly salary for the trade and services sector.
4. For families with a maximum of 3 children between the ages of 5 and 16 who have not completed the sixth grade, the monthly dollar amount equivalent to 10% of the allowance established for veterans and former combatants, paid to the person responsible for the children; if the family has more than 3 children between the ages of 5 and 16 who have not completed the sixth grade, the monthly dollar amount equivalent to 14% of the allowance established for veterans and former combatants.
5. For families that meet the conditions specified in numbers 3 and 4, the monthly dollar amount equivalent to 14% of the allowance established for veterans and former combatants, paid to the person responsible for the children.

Art. 9.- Replace Article 11 with:

“Art. 11.- The Ministry of Culture shall:

- a) Encourage the identification of assets with special relevance for the historical memory of the acts constituting serious human rights violations during the Salvadoran armed conflict, or with commemorative significance for the communities, to process the respective declaration and entry in the Registry of Movable and Immovable Cultural Property. To this end, it will receive proposals from civil organizations representing registered victims;
- b) Facilitate the publication and printing of the Report of the Truth Commission for El Salvador, established by the United Nations, titled "From Madness to Hope: the Twelve-Year War in El Salvador"; and
- c) Promote the necessary studies to expand the topic of historical memory of the acts constituting serious human rights violations during the Salvadoran internal armed conflict, at the David J. Guzmán National Museum of Anthropology, allowing for the participation of civil organizations representing the registered victims."
- d) Encourage the creation of a memory map that identifies the places where serious human rights violations occurred.
- e) Advocate for the Declaration of a Remembrance Day for Victims of the Armed Conflict; and
- f) Advocate for the Declaration of a Remembrance Day for Victims of Enforced Disappearance during the Armed Conflict.

Art. 10.- Add the following paragraph to Art. 17:

"The educational authorities of the Armed Forces shall include a course on historical memory in the basic and advanced curricula, covering the findings contained in the Report of the Truth Commission, the reports of the Office of the Human Rights Ombudsperson (PDDH), the judgments of the Inter-American Court of Human Rights against El Salvador, and other United Nations documents related to the Salvadoran peace process."

Art. 11.- Replace the second paragraph of Article 20, as follows:

"Applications for new civil human rights organizations to be accredited as victims' representatives, and from natural persons seeking to be included in the Registry, must be submitted in writing, or through the designated mechanisms, to the National Board, which will process them in accordance with its Rules of Procedure."

Art. 12.- Add a paragraph to Article 23, as follows:

- "The Reparations Program shall have a special budget comprised of:
- a) Funds from the National Budget,
 - b) National and international donations;
 - c) Resources from government assistance programs or international organizations;"

Art. 13.- Article 21 is repealed.

DONE AT THE PRESIDENTIAL PALACE: San Salvador, on the _____ day of the month of _____, two thousand twenty-one.

NAYIB ARMANDO BUKELE ORTEZ
PRESIDENT OF THE REPUBLIC

MINISTER OF THE INTERIOR AND TERRITORIAL DEVELOPMENT