



Advocacy for Human Rights in the Americas



University Institute  
for Public Opinion



*AP Photo: Luis Romero*

## TRANSPARENCY IN EL SALVADOR

Assessing Access to Public Information

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# INTRODUCTION

In the last decade, the problem of insecurity and impunity has deeply affected the people of Guatemala, El Salvador and Honduras, making this region (known as the Northern Triangle of Central America) one of the most violent in the world. High levels of violence, corruption, and impunity have eroded the capacity of the states to develop accessible and efficient institutions, and address the needs of their populations.

The absence of effective responses has weakened citizens' confidence in state institutions, leading to an alarming number of people who have been internally displaced or forced to migrate to other countries to escape the violence and lack of economic opportunities.

Against this backdrop, the Washington Office on Latin America (WOLA), the University Institute for Public Opinion (Iudop) of the José Simeón Cañas Central American University (UCA) of El Salvador, the University Institute on Democracy, Peace and Security (IUDPAS) of Honduras, and the Myrna Mack Foundation (FMM) of Guatemala have developed a tool for monitoring and evaluating the policies and strategies currently being implemented in Guatemala, Honduras, and El Salvador to reduce insecurity and violence, strengthen the rule of law, improve transparency and accountability, protect human rights, and fight corruption. This initiative has been made possible thanks to the support of the Latin America Division of the Swiss Agency for Development and Cooperation, the Tinker Foundation, the Seattle International Foundation (SIF), and the Moriah Fund.

## THE CENTRAL AMERICA MONITOR

The Central America Monitor is based on the premise that accurate, objective, and complete data and information are necessary to reduce the high levels of violence and insecurity, and establish rule of law and governance in a democratic state. This will allow efforts to move beyond abstract discussions of reform to specific measures of change.

The Monitor is based on a series of more than 100 quantitative and qualitative indicators that allow a more profound level of analysis of the successes or setbacks made in eight key areas in each of the three countries.<sup>1</sup> More than a comprehensive list, the indicators seek to identify a way to examine and assess the level of progress of the three countries in strengthening the rule of law and democratic institutions. The indicators seek to identify the main challenges in each of the selected areas and examine how institutions are (or are not) being strengthened over time. The Monitor uses information from different sources, including official documents and statistics, surveys, interviews, information from emblematic cases, and analysis of existing laws and regulations.

The indicators were developed over several months in a process that included an extensive review of international standards and consultation with experts. The eight areas analyzed by the Monitor include:

1. Strengthening the capacity of the justice system;
2. Cooperation with anti-impunity commissions;
3. Combatting corruption;
4. Tackling violence and organized crime;

5. Strengthening civilian police forces;
6. Limiting the role of the armed forces in public security activities;
7. Protecting human rights;
- 8. Improving transparency.**

The Monitor reports are published by area and by country. The first series of reports will serve as the baseline for subsequent analysis, which will be updated annually. Each annual series of reports will be analyzed in comparison with reports from the previous year. This allows researchers, civil society organizations, and other actors to assess the level of progress in strengthening the rule of law and reducing insecurity.

The first round of Monitor reports will primarily focus on data sets from an approximate 4-year time period, 2014 to 2017, in order to provide a snapshot of Central America's institutions.

The Monitor will serve as a tool for searchable, easy-to-comprehend data, delineating trends, progress, patterns, and gaps within and between the three countries of the Northern Triangle. The data, graphics, charts, and reports will be available on the Monitor's website.

This report of the Central America Monitor produced by the University Institute for Public Opinion (Iudop) of the José Simeón Cañas Central American University (UCA) of El Salvador aims to define a baseline for the indicators related to improving transparency and access to public information in El Salvador, with an emphasis on security, defense, and justice institutions.

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## ABOUT THE RESEARCH FOR THIS REPORT

Researchers gathered quantitative and qualitative data for this report through reviewing the bibliographies of annual reports and official information available on transparency web portals of the analyzed state entities, specifically portals of the Judiciary, the Legislative Assembly, the National Civil Police, the Ministry of National Defense, the Armed Forces of El Salvador and the Attorney General's Office.

Researchers also consulted the Law of Access to Public Information (*Ley de Acceso a la Información Pública*, LAIP) and the Institute of Access to Public Information's (*Instituto de Acceso a la Información Pública*, IAIP) annual reports. Additionally, this report also includes requests for statistical information pursuant to the Law on Access to Public Information of El Salvador, which establishes a specific process for government agencies to receive information requests and respond within certain a time frame.

To contextualize the data presented, the research also includes articles that address transparency and its importance in democratic societies, and Salvadoran news articles related to advancements in transparency.

# KEY FINDINGS

- Thanks to efforts by the Institute for Access to Public Information (IAIP), El Salvador's central transparency portal—a repository for information that government bodies are required to make public—features information from nearly 300 institutions. In another important step towards establishing a more open government, the IAIP has developed a methodology for evaluating the quality of the records released by institutions in response to information requests. Since 2015, this has enabled the IAIP to assess and manage official information in an increasingly standardized way.
- Over the four-year period comprising the focus of this report (2014–2017), the IAIP's legal office registered some 2,000 motions—this includes requests for information from public institutions, appeals over rejected requests, and sanctions against institutions for failing to respond to information requests. Notably, this four-year period saw a high number of appeals filed, suggesting that, despite oversight efforts by the IAIP, public institutions tended to resist full and prompt compliance with transparency laws. Notably, some of the security and justice institutions analyzed in this report grew progressively worse in terms of embracing active transparency, according to the IAIP's scoring system.
- El Salvador's municipal governments and institutions are falling short when it comes to fully complying with transparency laws: nearly half of the country's municipalities have not publicized information that is required by law to be available in the central transparency portal. Another issue is the lack of annual, consolidated statistics breaking down the number of information requests received by public institutions, and the number of cases in which those requests were judged to have been adequately resolved. No such statistics were compiled throughout 2014–2017.
- According to a 2017 evaluation by the IAIP, which assessed how 96 state institutions complied with accountability laws and practiced active transparency, the Supreme Court of Justice (*Corte Suprema de Justicia*, CSJ) ranked 11th, the highest placement out of El Salvador's primary justice and security institutions. The Ministry of National Defense (*Ministerio de Defensa Nacional*, MDN) and the Attorney General's Office (*Fiscalía General de la República*, FGR) followed in the 26th and 41st placements, respectively. Other security and justice institutions received lower scores, indicating that they are falling short in upholding basic aspects of active transparency. These entities included the Ministry of Justice and Public Security (*Ministerio de Justicia y Seguridad Pública*, MJSP), which ranked 63rd, and the National Civil Police (*Policía Nacional Civil*, PNC), which ranked in the bottom 20 at 84th.

- Under El Salvador’s national transparency law, known as the Law on Access to Public Information (LAIP), public institutions must prepare and publish semiannual indexes of the information that has been classified as “reserved.” Of the major security and justice institutions that this report focuses on for the 2014-2017 time period, the three institutions that most frequently moved to restrict information were the Ministry of National Defense, the National Civil Police, and the Ministry of Justice and Public Security.
- Of these three entities, the Ministry of National Defense had the highest number of records categorized as reserved (580). The majority of these records (62.4 percent) were classified as such in 2014. Ranking under the defense ministry is the National Civil Police, with a total of 210 records classified as reserved during this same period, with 46.2 percent classified as such in 2016. The Ministry of Justice and Public Security placed third, with 175 records reserved throughout 2014-2017. More than half of them (55.4 percent) were classified as reserved in 2016.
- Between March 2013 and August 2018, 76.3 percent of the cases registered in the IAIP Legal Unit had to do with appeals, 15.5 percent had to do with a lack of response to information requests, and 8.2 percent had to do with sanctioning procedures. This indicates that the most frequent reason why people initiate procedures in the IAIP is because they disagree with the decision initially issued by information officers at public institutions.
- Between March 2013 and August 2017, the IAIP reported 379 disputes involving the denial of information requests, 212 involving a lack of response, and seven to non-delivery of information despite an order to do so by the IAIP. To put this information into percentages, 63.4 percent of the disputes had to do with the denial of information requests, 35.4 percent involved a lack of response from public institutions, and 1.2 percent of them had to do with the failure to release records as ordered by the IAIP.
- The five security and justice institutions analyzed in this report have made financial information available to the public via their transparency portals. However, in some cases this information is incomplete. Some institutions have not yet publicized required information on salaries, hiring and procurement processes, subsidies and tax incentives, or public resources destined to private entities. There are also information gaps when it comes to asset declarations by public officials, making it harder for the general public to identify possible signs of illicit enrichment.

# TRANSPARENCY IN EL SALVADOR

## Assessing Access to Public Information

When a nation is sovereign — as required by the democratic doctrine — society must be able to scrutinize public affairs. Those who manage these affairs must be held accountable in a timely and reliable manner.<sup>2</sup> Transparency can be understood as a timely and reliable flow of economic, social and political information, accessible to all relevant stakeholders.<sup>3</sup> Using this information, the public must be allowed to evaluate the same institutions that produce that information and form well-founded opinions of those who make, participate in, or are subject to the decisions made by said institutions.<sup>4</sup>

Directly linked to the practice of transparency in public administration is the concept of the right to access public information. Since ancient times, leaders have tried to centralize and control information, as this gives them power over their communities. Information is valuable to citizens—having the right to access government information that allows citizens to actively participate in the progress of public affairs, judge the actions of their representatives who own information, and hold representatives responsible for damages they cause.<sup>5</sup>

## ACCESS TO PUBLIC INFORMATION IN EL SALVADOR

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Although in a democracy it should be commonplace for citizens to demand accountability from their authorities, in El Salvador, transparency has not been a norm. On the contrary, historically, government entities have misused public assets to benefit themselves greatly. As a result, despite some exceptions, public officials have not felt obligated to render accounts, nor have citizens exercised their right

In recent decades, the belief that the citizenry should have the right to public information has grown. This right enables access to all types of information held by public entities, private individuals who perform public services, or those who receive funds from the State. Consequently, the State must implement an administrative system that identifies and provides access to publicly requested information.<sup>6</sup>

Exercising the right to official public information, in theory, implies that two systems exist. The first provides general information (i.e. the structure and functions of a government entity); the second receives individual specific information requests from citizens.<sup>7</sup> The two systems imply two types of transparency: active and passive. Active transparency refers to the periodic and systematized dissemination of information regarding state management, while passive transparency denotes the obligation of the State to submit timely access to information held by public bodies to citizens who have requested that information.<sup>8</sup>

to demand them. In turn, this obscurity ends up favoring corruption.<sup>9</sup>

As El Salvador joined in on the international trend toward demanding transparency, an unprecedented opportunity took shape. El Salvador passed a law on access to public information, creating the possibility to establish transparency mechanisms. Despite the law's



potential flaws, having access to information about the actions of officials and the way public funds are managed was an important step.<sup>10</sup>

The Law on Access to Public Information (LAIP) was the result of a public debate process carried out from mid-2008 until April 8, 2011, when the law was published in the Official Gazette. Political parties, various social organizations, and

journalist and business associations participated in this process. The most important aspect of the LAIP is that it provides citizens with an instrument to activate their right to access information about the government's functions, mixed economy societies, and the individuals that manage resources or public information and perform public acts.<sup>11</sup>

## BOX 1

### PURPOSE OF THE LAW ON ACCESS TO PUBLIC INFORMATION (ART. 3)



- Facilitate the right of access to public information to everyone through simple and expedited procedures.
- Promote transparency in public administration by disseminating information that state bodies are required to make public.
- Promote accountability of public institutions and agencies.
- Promote citizen participation and citizen oversight.
- Modernize the organization of public information.
- Promote the efficiency of public institutions.
- Promote the use of information and communication technologies and the implementation of electronic administration.
- Protect personal data held by the entities under the mandate and ensure its accuracy.
- Contribute to the prevention and fight against corruption.
- Promote a culture of transparency.
- Facilitate citizen participation in decision-making processes concerning public affairs.

Some of the key components of the law are: the way that public information is classified, the requirement that state agencies have to keep information available to the public (and that the information can be accessed in a simple and understandable way), a set of rules that govern the procedure to access public information, the procedures established for the IAIP, and the sanctioning system that can be applied to officials who violate the LAIP.<sup>12</sup>

The Executive Technical Unit (*Unidad Técnica Ejecutiva, UTE*) of the Justice Sector<sup>13</sup> notes that LAIP lays out a set of conditions that allow it to be potentially effective. Among these conditions are the following.<sup>14</sup>

1. All entities engaged in public administration, at both national and local levels, including mixed and private institutions that manage public resources or perform state functions, are **subject to the law**.
2. The Law establishes few **restrictions** on the information that must be made public and establishes that reserved or confidential information must be defined by each public entity and be displayed in an index that must be available to the public.
3. **Official information**, that is to say, information that must be available to the public without request, is extensive and specific.

4. To ensure compliance, the Law establishes the **Institute for Access to Public Information** a special and independent body, with legal identity and its own assets, which has administrative and financial autonomy.
5. To guarantee the **independence** of the IAIP, the Law stipulates the selection of five people to serve as commissioners of the Institute, appointed by the Salvadoran president, based on a list of candidates proposed by associations of businessmen, professionals, journalists and trade unions.<sup>15</sup>
6. The Law establishes **penalties** for officials who violate the LAIP, either because they refuse to expose the information that must be made public, they deliver or disseminate reserved or confidential information, the information is outdated or disorganized, or because they do not provide the information that the IAIP has required.

Additionally, the IAIP points out that the LAIP implies that state organizations should organize themselves to appoint information officers and create Public Information Access Units. These units should be configured in such a way that they guide information officers to perform their duties and ensure that they channel submitted information requests in accordance with the law.<sup>16</sup>

# ACTIVE TRANSPARENCY: INFORMATION AVAILABLE TO CITIZENS

Active transparency is the State’s obligation to frequently publish all of the information necessary for the public to evaluate their performance. Among other items, this information includes a description of their functions, activities, budget justification, objectives, management indicators, and customer service systems. These items should be structured in a way that allows comparison between fiscal years.<sup>17</sup>

In El Salvador, all public administration entities at a national and local level are subject to this requirement; that is to say, all of the State agencies, the Central Government, the autonomous entities, and the municipalities. As shown in Table 1, this amounts to more than 350 **obligated entities**.

**TABLE 1**  
**INSTITUTIONS REGULATED BY THE LAW ON ACCESS TO PUBLIC INFORMATION**

Type of institution	Number of entities
Legislature	1
Judiciary	1
Executive branch (presidency, ministries and dependencies)	21
Public Prosecutor's Office	3
Court of Accounts	1
University of El Salvador	1
Autonomous entities	68
Municipalities	262
<b>Total</b>	<b>358</b>

Box 2 provides details regarding the **types of information** the entities must publish, without being prompted by an information request:

## BOX 2

### INFORMATION THAT INSTITUTIONS MUST PUBLISH UNDER THE LAIP TITLE II, CHAPTER I



- Regulatory framework applicable to each obligated entity.
- Complete organizational structure, the powers and faculties of the administrative units, in addition to the number of public servants working in each unit.
- Directory and resumes of public officials.
- Institutional budget and its modifications.
- Procedures for selecting and hiring personnel.
- Listings of advisors.
- Monthly compensations by charge to the budget.
- Listings of international trips and per diem assigned.
- Inventory of personal property.
- Subsidy programs and tax incentives.
- Private amounts and recipients of public resources.
- Permits, licenses and grants given.
- Formalized hirings and procurement.
- Mechanisms for citizen participation.
- LAIP compliance indicators.

With respect to the **disclosure of official information**, Article 18 of the LAIP states that such information must be available to the public through any means, such as: web pages, brochures, newspapers or other publications, or special sections of its libraries or institutional archives. This article also emphasizes that the LAIP should promote the use of information technologies by government entities. El Salvador currently has a centralized transparency portal that contains information about a number of government bodies and approves the types of information available for each entity. However, several obligated entities do not have their official information in this central portal. Rather, they have their own transparency portals, available on the institutions' official websites.

Regarding the **frequency** with which institutions must update official information, the Rules of the Law on Access to Public Information establish that the required entities should update the official information at least once every three

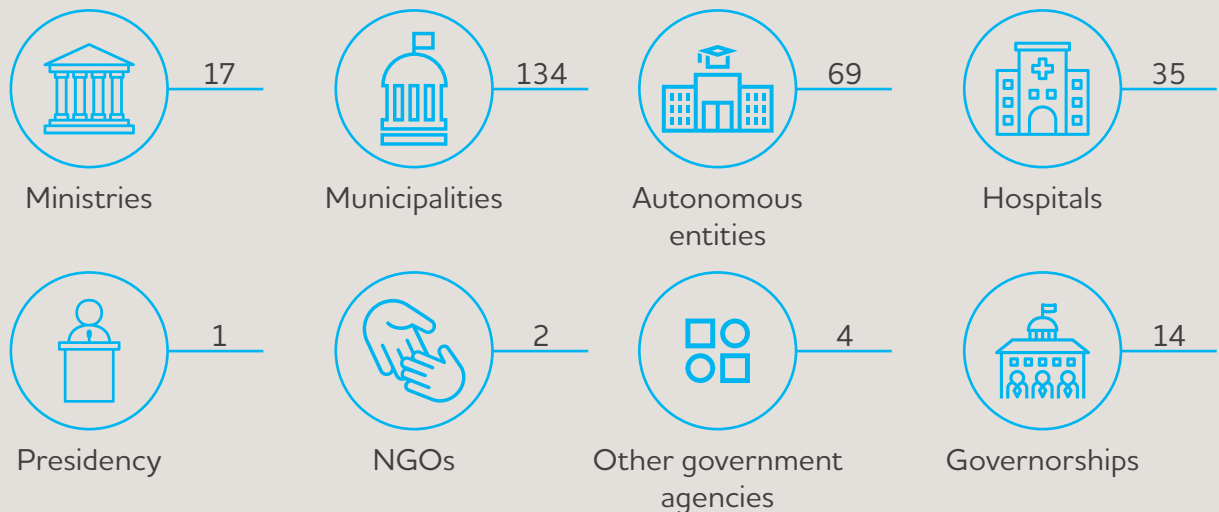
months, unless a separate legal provision establishes a different term and as long as that term is less than the one originally designated.

To explore aspects of active transparency in El Salvador, we first examined the information systematized in the Transparency Portal of El Salvador. The home page of this portal displays consolidated public records available according to the most recent update of the portal. This general consolidation does not provide the option to separate information by years or time periods. Therefore, it is not possible to obtain the precise data of the period under study.

According to the data reflected in the portal, official information is available from 276 institutions.<sup>18</sup> The portal gathers and makes available to the public records from: 17 ministries, 134 municipalities, 69 autonomous entities, 35 hospitals, 14 governorships, the Presidency of the Republic, two non-governmental organizations, and four additional state agencies.

## DIAGRAM 1

### NUMBER OF INSTITUTIONS THAT HAVE OFFICIAL INFORMATION ON THE TRANSPARENCY PORTAL OF EL SALVADOR



This study focuses specifically on the information made public by the following entities: The Ministry of Justice and Public Security, the Ministry of National Defense, the National Civil Police, the Supreme Court of Justice and the Attorney General's Office.

In general, the five entities of interest (the Ministry of Justice and Public Security, the Ministry of National Defense, the National Civil Police, the Supreme Court of Justice and the Attorney General's Office) have official information available on the web, but not all of them have information available on the Transparency Portal of El Salvador.

In the case of the Ministry of Justice and Public Security and the Ministry of National Defense, the links to their transparency page redirect to the Transparency Portal of El Salvador, which centralizes the official information of these two entities. On the other hand, the National Civil Police, the Attorney General's Office, and the Supreme Court of Justice have their own transparency portals that can be accessed from their official websites.

This report tracks four types of official information of the five entities of interest. The first of these is the **regulatory framework**. This information is essential to assess whether the entities have published the records, agreements, laws and regulations that govern how each institution operates. The second type of data tracked are **finances**; that is, the information that makes it possible to examine how the institution manages its public funds, provides data on the budget, salaries, hiring and inventories of institutional assets. Third, we verified the available information about strategic management of the agencies of interest. This type of information is important to assess in order to ensure that agencies had made their **strategic plans**, their operational plan, their directory of officials, and

their hiring procedures public. Finally, it was important to look at the available data regarding **compliance with LAIP indicators** in order to assess the extent to which the entities studied were fulfilling their transparency obligations required by law, such as providing data on their resolutions of information requests, and the transparency of their reserved information index.

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## TRANSPARENCY PORTAL OF THE MINISTRY OF JUSTICE AND PUBLIC SECURITY

The MJSP's regulatory framework information is broken down into seven sections, its budgetary framework in ten, and the data of its strategic management framework, in nine sections, as shown in Table 2. Within the Transparency Portal of El Salvador, the section that contains the MJSP's official information shows that a total of 659 documents were made available to the public. Regarding the types of information that have been most consulted, the data shows that these are: resolutions of requests (65,658 downloads), the statistics of said ministry (15,623 downloads), the basic manuals of the organization (14,414 downloads) and other normative documents (11,345 downloads). This data is not disaggregated according to years or time periods.

To date, the Ministry of Justice and Security Portal's most downloaded documents are the National Justice Policy, the Organization and Functions Manual, the Victim Assistance Protocol, and the details of movable assets greater than \$20,000.

The MJSP's transparency portal has a low number of published documents within its statistics section for each year within the 2014-2017 period. In Addition, the information available lacks uniformity. For 2014, the website

**TABLE 2**

**INFORMATION MADE AVAILABLE TO THE PUBLIC BY THE MINISTRY OF JUSTICE AND PUBLIC SECURITY INFORMATION**

	Regulatory framework	Budgetary framework	Strategic management framework	LAIP compliance	Citizen participation
Number of Sections	7	10	9	6	2
	Council minutes	Grants and licenses	Directory of officials	Annexes for resolutions of requests	Mechanisms for citizen participation
	Principal law that governs the Institution	Hiring and procurement	Statistics	File organization guide	Accountability
	Basic organization manuals	Financial statements	Required reports by legal provision	LAIP compliance indicators	
	Organization chart	Inventories	List of advisors	Index of reserved information	
	Other regulatory documents	Current budget	Annual report	Other information of interest	
	Procedures and results of selection	Public resources for private parties	Works in progress	Resolutions of requests	
	Principal law regulation	Record of bidders and contractors	Annual operating plan		
		Compensations	Resolutions executed		
		Subsidies and tax incentives	Services		
		Travel			

Source: Transparency portal, MJSP

shows a significant number of documents with statistics on detentions, seized firearms, and a range of crimes. The majority of these documents pertain to information generated by the PNC, and have been categorized under 2014, when in reality they contain information for other years. Evidently, there are inaccuracies in how posted information is categorized, in addition to being organized in a manner that is difficult to understand.

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## **TRANSPARENCY PORTAL OF THE MINISTRY OF NATIONAL DEFENSE**

In the case of the National Defense Ministry, the Transparency Portal of El Salvador shows that the MDN's regulatory framework is broken down into seven sections, its budgetary framework into ten sections, and the data of its strategic management framework into nine sections, as shown in Table 3. The MDN has made a total of 1,322 documents available to the public and, as of September 2019, reports 322,244 document downloads.

The portal data show that the types of information most consulted by citizens are the resolutions of information requests (111,327), other regulatory documents (33,716), records of bidders and contractors (29,545), and data on hiring and procurement (25,135). The documents of the MDN most downloaded by users have been the Rules of the Law of Control and Rules of Weapons, Ammunition, Explosives and Similar Items, the 2013-2014 annual report, the 2015 MDN accountability report, and the Military Career Law. This data is not disaggregated according to years or time periods.

The MDN transparency portal showed that only a small number of documents have been published in the statistics section. Although there are some statistics available for each of the years of the period studied, their content is not uniform and is not always related to the issue of security. For example, in 2014 and 2015, the only documents added to the statistics section contain budget information. By contrast, most documents categorized as statistics in 2016 and 2017 are reports of MDN support work for other ministries, attendance at training activities, and a small number of cases in which statistics refer to work categorized as "sovereignty actions."



**TABLE 3**

**INFORMATION MADE AVAILABLE TO THE PUBLIC BY THE MINISTRY OF NATIONAL DEFENSE**

	Regulatory framework	Budgetary framework	Strategic management framework	LAIP compliance	Citizen participation
Number of sections	7	10	9	6	2
	Council minutes	Grants and licenses	Directory of officials	Annexes for resolutions of requests	Mechanisms for citizen participation
	Principal law that governs the institution	Hiring and procurement	Statistics	File organization guide	Accountability
	Basic organization Manuals	Financial statements	Required reports by legal provision	LAIP compliance indicators	
	Organization chart	Inventories	List of advisors	Index of reserved information	
	Other regulatory documents	Current budget	Annual report	Other information of interest	
	Procedures and results of selection	Public resources for private parties	Works in progress	Resolutions of requests	
	Principal Law regulation	Record of bidders and contractors	Annual operating plan		
		Compensations	Resolutions executed		
		Subsidies and tax incentives	Services		
		Travel			

Source: Transparency portal, MDN

**TABLE 4**

**INFORMATION MADE AVAILABLE TO THE PUBLIC BY THE NATIONAL CIVIL POLICE**

	Regulatory framework	Strategic management	Budgetary framework	Information office	Historic	Crimes	Other
Number of sections	7	8	10	6	3	9	1
	Principal law that governs the Institution	Citizen services	Current budget	OIR information	Regulatory framework	Extortion	Crime database navigation guide
	Principal law regulation	Directory of public officials	Subsidies and tax incentives	Index of reserved information	Strategic framework	Homicides	
	Basic organization manuals	List of advisors	Public resources for private parties	Telephone directory	Budgetary framework	Manslaughter	
	Other regulatory documents	Annual operating plan	Compensations	File organization guide		Theft	
	Council minutes	Annual reports	Inventories	Resolutions of requests		Vehicle theft	
	Organization chart	Reports by legal provision	Travel	Mechanisms for citizen participation		Injuries	
	Selection and procurement of personnel	Works in progress	Financial statements			Theft of vehicles with merchandise	
		Statistics	Grants and authorizations			Kidnappings	
			Hiring and procurement			Rape	
			Record of bidders and contractors				

Source: Transparency portal, PNC (from 2017)

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## TRANSPARENCY PORTAL OF THE NATIONAL CIVIL POLICE

In the case of the police, the information of its regulatory framework is broken down into seven sections, budgetary framework into ten, and strategic management into eight sections,<sup>19</sup> as seen in Table 4. The PNC made 339 documents available to the public on the transparency portal it had until 2017. In mid-2017, the PNC modernized its transparency portal. The new portal's main innovation was having a statistical data analyzer available to users. InfoSegura, a regional project managed by the United Nations Development Program (UNDP) and sponsored by the United States Development Agency (USAID), helped modernize the PNC's portal.

The most downloaded PNC documents had been: the standards and procedures Manual of the Administration and Finance Department, the Manual of standards and procedures of the Subdirectorate of investigations, the Directory of the PNC, and the Manual of standards and procedures of the Subdirectorate of Terrestrial Traffic (in the host portal). This data is not disaggregated according to years or time periods.

On the other hand, the transparency portal of the PNC of 2017 has institutional statistics available for each year of the 2014-2017 period. These statistics mainly refer to the records of crimes such as extortion, homicide, theft, vehicle theft, injury, kidnapping and rape. The data is presented in formats that vary from one another; sometimes crimes are grouped together or more than one analyzed year is grouped together. In other cases, data is disaggregated at the municipal level. The portal also has an interactive tool for the user to generate their own statistics. However, it was not possible to generate data with this tool, as it failed to launch.

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## TRANSPARENCY PORTAL OF THE JUDICIARY

Currently in the transparency portal of the Judiciary, the information related to its strategic management has five sections, its financial management is broken down into six, and the data of its regulatory management have been broken down into three sections, as shown in Table 5.

This portal does not provide a consolidated figure with the total records made available to the public. However, it does detail the documents most downloaded by the population, among them: documentation on suspended lawyers and notaries (7,712 downloads), the list of notaries authorized by the Supreme Court of Justice (7,502), the Manual of classification of positions of the Judiciary (5,979) and the list of active notaries (5,433). This data corresponds to general consolidated data, which are not disaggregated by years or time periods.

The Judiciary's transparency portal is more organized and has a larger volume of official information in the statistics section than the rest of the entities analyzed. The portal offers a high volume of statistical data that has been generated on a monthly, quarterly, semi-annual or annual basis as appropriate, grouped according to the unit that generates each type of statistics, and that can be filtered by year. Specifically, the site offers statistics for all the years analyzed (2014-2017), using information from each of these units: support area for virtual hearings, judicial libraries, judicial centers nationwide, Department of Coordination of Multidisciplinary Teams, Management of Judicial Investigation, Department of Proof and Assisted Freedom, Directorate of Security and Judicial Protection, Gender Unit, Access to Public Information Unit, Juvenile Justice Unit, Constitutional Chamber, Administrative Litigation Room, Civil Chamber,

Criminal Chamber, and Probity Section. The statistical information is not available for all years of the period analyzed. It was missing for some

years for the Directorate of Judicial Technical Services, the Professional Investigation Unit, and the Notary Section.

**TABLE 5**

**INFORMATION MADE AVAILABLE TO THE PUBLIC BY THE JUDICIARY**

	Strategic management	Financial management	Regulatory management	Administrative management	Judicial management
Number of sections	5	6	2	3	7
	Organization structure	Procurement and hiring	General and regulatory rules of the Republic	Directory and resumes	Definitive rulings and interlocutory ones with the potential of being definitive
	Annual operating plan – strategic institutional plan	Budgetary information	Regulations created	Selection procedures	Analysis of jurisprudence
	Annual reports	Inventory of movable assets		Statistics generated	Updated texts of current legislation
	Mechanisms of citizen participation	Works			Court plenary rulings
	Services rendered	International travel			<i>Auto paretis</i>
		Printing costs			Extraditions
					Law enforcement rating

Source: Transparency portal, Judiciary

## TRANSPARENCY PORTAL OF THE ATTORNEY GENERAL'S OFFICE

The Attorney General Office's transparency portal shows that its official information referring to the institutional regulatory framework consists of six sections, the strategic management has seven sections, and the budgetary framework has nine, as shown in Table 6.

This portal does not offer a total accounting of the records made available to the population, the number of times records have been downloaded, or the type of data most frequently consulted by the public.

Likewise, when reviewing the official information published on the FGR transparency portal, it was not possible to find a section dedicated to statistics that relate to how this entity manages investigation of crime or data on crime victims. The only area on the transparency portal with an available statistics section was the LAIP compliance section.

**TABLE 6**

### INFORMATION MADE AVAILABLE TO THE PUBLIC BY THE FGR

	Regulatory framework	Strategic framework	Budgetary framework	UAIP information	Citizen engagement
Number of sections	6	7	9	6	1
	Primary regulation	Directory of public officials	Budget	UAIP information	Mechanisms for citizen participation
	Basic organization manuals	List of advisors	Compensations	UAIP statistics	
	Binding instruments	POA	Inventories	UAIP rulings	
	Organizational structure	Reports required by legal provision	Travel	Index of reserved information	
	Procedures for selection of personnel	Works in progress	Hiring and procurement	Document and file management	
	Council minutes	Services	Record of bidders and contractors	Printing costs	
		Rulings enforced	Subsidies and tax incentives		
			Private amounts and recipients of public resources		
			Grants, permits and licenses awarded		

Source: Transparency portal, FGR

# FINANCIAL INFORMATION OF SECURITY AND JUSTICE AGENCIES

Regarding transparency, one of the key aspects made available to citizens has to do with the use of public funds. As such, information from the transparency portals' finance sections were reviewed for all five entities featured in this study.

On one hand, the **Ministry of National Defense** included a breadth of financial information in its transparency portal, including the current budget, travel, inventories, bidders, contractors and financial statements, and hiring and

procurement for almost the entire period, with the exception of the inventories corresponding to 2017 and the hiring and procurement of 2014. On the other hand, there is a lack of information concerning grants and authorizations in 2014 and 2015. During this entire period there is no data on subsidies and tax incentives, public resources for private parties and remunerations. Likewise, the information on hiring and procurement is only available for the years 2015 and 2016.

**TABLE 7**  
**FINANCIAL INFORMATION MADE AVAILABLE BY THE MINISTRY OF NATIONAL DEFENSE**

Type of information	2014	2015	2016	2017
1. Grants and permits	Not available	Declared/ certified non-existent	Available	Available
2. Hiring and procurement	Not available	Available	Available	Available
3. Remunerations	Not available	Not available	Not available	Not available
4. Current budget	Available	Available	Available	Available
5. Tax subsidies and incentives	Not available	Not available	Not available	Not available
6. Public resources destined for private parties	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent
7. Travel	Available	Available	Available	Available
8. Inventory	Available	Available	Available	Not Available
9. Registration of bidders and contractors	Available	Available	Available	Available
10. Financial statements	Available	Available	Available	Available

*Source: Compiled using data from the MDN transparency portal*

On a positive note, the **Ministry of Justice and Public Security's** transparency portal displayed data on the current budget, travel, inventories, bidders, contractors, and financial statements for almost the entire period, with the exception of the registration of bidders and contractors in 2017. However, the ministry also lacks information concerning grants and

authorizations, subsidies and tax incentives and public resources destined for private parties throughout the period. In addition, there is no data available concerning salaries for three of the four years analyzed. Likewise, information on hiring and procurement is only available for the years 2015 and 2016.

**TABLE 8**  
**FINANCIAL INFORMATION MADE AVAILABLE BY**  
**THE MINISTRY OF JUSTICE AND PUBLIC SECURITY**

Type of information	2014	2015	2016	2017
1. Grants and authorizations	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent
2. Hiring and procurement	Not available	Available	Available	Not available
3. Remunerations	Not available	Not available	Not available	Available
4. Current budget	Available	Available	Available	Available
5. Tax subsidies and incentives	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent
6. Public resources destined for private parties	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent	Declared/ certified non-existent
7. Travel	Available	Available	Available	Available
8. Inventory	Available	Available	Available	Available
9. Registration of bidders and contractors	Available	Available	Available	Not available
10. Financial statements	Available	Available	Available	Available

*Source: Compiled using data from the MDN transparency portal*

For almost all years in the 2014-2017 period, the National Civil Police made available information related to hiring and procurement, current budget, and travel. However, there is no information available regarding grants and authorizations, subsidies and tax incentives, and public resources destined for private parties.

In addition, salary information has not been published except for one of the four years of this period. In addition, information on inventories, bidder and contractor records, and financial statements is only available for two of the four years evaluated.

**TABLE 9**  
**FINANCIAL INFORMATION MADE AVAILABLE BY**  
**THE NATIONAL CIVIL POLICE**

Type of information	2014	2015	2016	2017
1. Grants and permits	Not available	Not available	Declared/ certified non- existent	Not available
2. Hiring and procurement	Available	Available	Available	Available
3. Remunerations	Not available	Not available	Available	Not available
4. Current budget	Available	Available	Available	Available
5. Tax subsidies and incentives	Not available	Not available	Not available	Not available
6. Public resources destined for private parties	Not available	Not available	Declared/ certified non- existent	Not available
7. Travel	Not available	Available	Available	Available
8. Inventory	Not available	Available	Available	Not available
9. Records of bidders and contractors	Available	Available	Not available	Not available
10. Financial statements	Not available	Available	Available	Not available

*Source: Compiled using data from the PNC transparency portal*



For the **Attorney General's Office** transparency portal, the data show some favorable aspects, such as the existence, for almost all of the years 2014-2017, of data on hiring and procurement, remunerations and the budget. At the same time, at the beginning of the analyzed period, there was no public information on travel, inventory

or records of bidders and contractors. However, from 2016 onwards, there is information available on these items. Negative aspects include the lack of availability of information during the four years analyzed of grants, permits and licenses, subsidies and tax incentives, and private recipients of public resources.

**TABLE 10**  
**FINANCIAL INFORMATION MADE AVAILABLE BY**  
**THE ATTORNEY GENERAL'S OFFICE**

Type of information	2014	2015	2016	2017
1. Grants, permits and licenses awarded	Not available	Not available	Not available	Declared/ certified non-existent
2. Hiring and procurement	Not available	Available	Available	Available
3. Remunerations	Available	Available	Available	Available
4. Budget	Available	Available	Available	Available
5. Subsidies and tax incentives	Not available	Not available	Not available	Declared/ certified non-existent
6. Amount and private recipients of public resources	Not available	Not available	Not available	Declared/ certified non-existent
7. Travel	Not available	Not available	Available	Available
8. Inventories	Not available	Not available	Available	Available
9. Records of bidders and contractors	Not available	Not available	Available	Available

*Source: Compiled using data from the transparency portal of the FGR*

The **Judiciary** has information available for all the years analyzed regarding procurement and hiring, contracts, monthly remunerations, budget, international travel, inventory of goods,

and works. Information related to grants, permits and licenses, and subsidies and tax incentives is not available.

**TABLE 11**

**FINANCIAL INFORMATION MADE AVAILABLE BY THE JUDICIARY**

Type of information	2014	2015	2016	2017
1. Grants, permits, and licenses awarded	Not available	Not available	Declared/ certified non-existent	Declared/ certified non-existent
2. Procurement and hiring	Available	Available	Available	Available
2a . Annual procurement and hiring programming	Available	Available	Available	Available
2b. Contracts	Available	Available	Available	Available
2c. Salary Reports from the Procurement and Hiring Department ( <i>Dirección de Adquisiciones y Contrataciones, DACI</i> )	Available	Available	Available	Available
3. Monthly remuneration (salaries)	Available	Available	Available	Available
4a. Institutional budget	Available	Available	Available	Available
4b. Budget detail	Available	Available	Available	Available
5. Subsidies and tax incentives	Not available	Not available	Not available	Declared/ certified non-existent
6. Public resources destined for private parties	Not available	Not available	Not available	Declared/ certified non-existent
7. International Travel	Available	Available	Available	Available
8. Inventory of real estate	Available	Available	Available	Available
9. Public works	Available	Available	Available	Available

*Source: Compiled using data from the transparency portal of the Judiciary*

Finally, it is important to highlight that throughout 2014-2017, all of the analyzed government bodies have published information regarding the approval and implementation of

their budgets, which is available on the Fiscal Transparency Portal, with the exception of The National Civil Police.<sup>20</sup> The budget information is displayed in Table 12.

**TABLE 12**

**APPROVED AND IMPLEMENTED BUDGETS OF PUBLIC INSTITUTIONS, 2014-2017 IN MILLIONS OF DOLLARS**

Entity	2014		2015		2016		2017	
	Approved	Implemented	Approved	Implemented	Approved	Implemented	Approved	Implemented
MJSP	365.23	343.14	431.94	422.66	445.55	419.04	476.26	444.22
MDN	151.99	151.90	157.76	157.50	152.56	152.40	162.27	162.23
PNC	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a
FGR	44.58	44.56	62.19	48.96	65.86	47.74	85.79	63.78
CSJ	252.00	217.21	262.76	239.66	263.45	245.30	263.17	246.84

*Source: Compiled using information from fiscal transparency portal*

## REGULATIONS ON THE DECLARATION OF ASSETS

As discussed in the Central American Monitor report on corruption in El Salvador, the oldest and most controversial legislation linked to this matter is the Law on the Illicit Enrichment of Public Officials and Employees (*Ley sobre el Enriquecimiento Ilícito de Funcionarios y Empleados Públicos*, LEIFEP) of 1959. Salvadoran legislators have been largely inactive on corruption issues, particularly in regards to declaring assets and illicit enrichment of public officials. In order to meet new needs to regulate these crimes, Congress passed a Probity Law in 2015.<sup>21</sup>

Article 5 of the Probity Law creates the Probity Section, a specialized agency within the Supreme Court of Justice that upholds the Probity Law. This section is made up of a Central Administrative Unit and departmental offices established based on the needs of the Section.<sup>22</sup> Among its powers, the Probity Law requires public officials to submit an affidavit of their assets upon entering and leaving their public office.

In addition, Article 11 states that it is up to the Probity Section to ensure compliance and application of the provisions of the Law, its regulations and other norms, and that it has the powers described in Box 3.<sup>23</sup>

## BOX 3

### PROVISIONS OF EL SALVADOR'S PROBITY LAW ARTICLE 11



- Establish and maintain a registry of entities required to declare their assets.
- Receive the asset declarations and verify them in accordance with formal requirements established by law.
- Ensure the veracity of the declared asset information.
- Assess and investigate acts related to the violation of Probity Law provisions.
- Facilitate the process of imposing penalties for failure to comply with the Probity Law.
- Prepare and disseminate all instructions, forms, and manuals that are necessary to facilitate the application of the Probity Law and its regulations.
- Forward reports in full to the Supreme Court of Justice in relevant cases.
- Notify the Attorney General's Office when evidence of a criminal act has been found.

In accordance with Article 15 of the Probity Law, the public officials outlined in Box 4, those required to declare their assets include

## BOX 4

### PUBLIC OFFICIALS REQUIRED TO DECLARE THEIR ASSETS UNDER THE PROBITY LAW, ARTICLE 15



- The president and vice president of the Republic.
- Those appointed to the presidency.
- Deputies to the Legislative Assembly and the Central American Parliament.
- Ministers and vice ministers of the state.
- Secretaries, deputy secretaries, commissioners and deputy commissioners of the presidency.
- Judges of the Supreme Court of Justice.
- Councilors of the National Judicial Council.

- Heads of diplomatic missions and consuls of the Republic.
- The president and judges of the Court of Accounts of the Republic.
- Commissioners of the Institute of Access to Public Information.
- Members of the Government Ethics Court.
- The attorney general of the Republic.
- The prosecutor general of the Republic.
- The attorney for the defense of human rights.
- Judges of the Supreme Electoral Tribunal.
- Office bearers and members of management bodies of public institutions and autonomous official institutions.
- Heads of the Institutional Procurement and Contracting Unit.
- Members of the Municipal Councils and district directors.
- Superintendents and board of directors of the Superintendencies.
- Commanders and chiefs of senior military units.
- Director, deputy directors and officers of the upper level of the National Civil Police.
- Directors, managers and heads of mixed economy companies or companies created in public-private partnership.
- Any other public official or employee named ad honorem that manages public funds.
- Natural persons or directors of legal entities that intervene in the management of public funds or assets.

In July 2015, the IAIP asserted that the Probity Section of the Supreme Court of Justice (Corte Suprema de Justicia, CSJ) should make the affidavits submitted by public officials concerning the status of their personal assets and their families available to the public.<sup>24</sup>

However, as indicated in the previous report of the Central American Monitor, there was a setback in 2017 concerning access to this type of information. During a Plenary of the Supreme Court in June of that year, members declared that information concerning asset declarations presented by officials at the start of their service in public office and at the end, including reports for the Probity Section, would be classified as

reserved. Furthermore, the CSJ decided that any investigation process for illicit enrichment would remain secret until a trial concluded in a conviction, or until 7 years had passed since the Court decided there was no reason to open a trial.<sup>25</sup>

Although Article 240 of the Constitution states that declarations should be reserved, case law in the Constitutional Chamber of the Court establishes that public versions of them may be prepared. Reserving information about audit reports and final acquittal resolutions of the Probity Section has been considered part of a regressive pattern in access to information.<sup>26</sup>

# INSTITUTE OF ACCESS TO PUBLIC INFORMATION'S ASSESSMENT OF ACTIVE TRANSPARENCY

The IAIP's Control Unit, established in June 2015, is the sole unit with jurisdiction over all national IAIP institutions. This unit has the power to monitor the transparency portals of all required agencies, determining whether those entities are publishing and updating the information required by law. It also monitors whether all State institutions fulfill their duty to appoint information officers and whether Units

of Access to Public Information are established so that the population can submit their requests to these offices.<sup>27</sup>

Table 13 summarizes the transparency evaluations that the Control Unit has developed, as well as the types of entities that this unit has evaluated, and how often, from 2015 (when unit came into operation) to 2017.<sup>28</sup>

**TABLE 13**

**TRANSPARENCY EVALUATIONS BY THE INSTITUTE FOR ACCESS TO PUBLIC INFORMATION'S OVERSIGHT UNIT**

Report	Semester in which the report was prepared	Information evaluated on the portals	General evaluation criteria	Type of entities that were evaluated
Pilot audit 2015	Second half of 2015	Data not available	<ul style="list-style-type: none"> <li>- The transparency evaluation did not specify what specific characteristics were being evaluated across entities. The evaluation did assert that the assessments were based on LAIP provisions.</li> <li>- As part of the evaluation, each entity was assigned a score from 0 (least transparent) to 10 (most transparent).</li> </ul>	Two municipal entities and 19 non-municipal entities
First assessment of official information 2016	First half of 2016	Information produced and published between January 2015 and January 2016	<ul style="list-style-type: none"> <li>- Each entity was evaluated based on 30 characteristics, created on the basis of LAIP provisions.</li> <li>- In the case of the mayor's offices, six additional characteristics were evaluated.</li> <li>- The evaluation assigned entities up to 300 points; this was then converted to a single rating, on a scale of 0 to 10.</li> </ul>	Nine municipal entities and 36 non-municipal entities

Second report on institutional transparency 2016	Second half of 2016	Information published between January and July 2016	<ul style="list-style-type: none"> <li>- Entities were evaluated based on their compliance with the following: 1.) were they publishing the information they were required by law to make public, and 2.) how were they managing their files. Different characteristics under these categories were assigned a score from 0 to 10. Each entity was assigned a final score, also on a 0 to 10 scale.</li> <li>- The public information evaluation looked at 30 characteristics assessing compliance with transparency laws and guidelines.</li> <li>- The file management evaluation consisted of nine sections, each based on IAIP guidelines.</li> </ul>	73 non-municipal entities (municipalities would be evaluated separately)
Municipal transparency report 2017	First half of 2017	Information published until March 31, 2017	<ul style="list-style-type: none"> <li>- The evaluation used a matrix looking at 36 characteristics, assessing compliance with the LAIP. The matrix included a section looking at proactive transparency practices.</li> <li>- The file management evaluation consisted of nine sections, each based on IAIP guidelines.</li> <li>-The ratings were assigned on a scale of 0 to 10.</li> </ul>	42 municipal entities
Institutional transparency audit report 2017	Second half of 2017	Information published until August 2017	<ul style="list-style-type: none"> <li>- Entities were evaluated based on their compliance with the following: 1.) were they publishing the information they were required by law to make public, and 2.) how were they managing their files. Different characteristics under these categories were assigned a score from 0 to 10. Each entity was assigned a final score, also on a 0 to 10 scale.</li> <li>- The public information evaluation looked at 30 characteristics assessing compliance with transparency laws and guidelines.</li> <li>- The file management evaluation consisted of nine sections, each based on IAIP guidelines.</li> </ul>	97 non-municipal entities (corresponding to 100% of this type of entity required)

Source: Compiled using information from the IAIP audit reports, 2015, 2016 and 2017

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## METHODOLOGY USED TO ASSESS ACTIVE TRANSPARENCY

Although the evaluation criteria used by the IAIP is not explained in detail in the 2015 pilot audit exercise, other audit reports show that a standardized evaluation methodology was adopted as of 2016. The rating assigned to each entity is based on approximately 30 general items (which apply to all required entities) and a small number of additional items that only apply to certain institutions. It is worth noting that although the audit model initially generated a unique rating system for each institution, starting with the 2016 report on institutional transparency, the overall rating of each entity was comprised of two averaged elements: the rating for availability of official information and the rating for document and file management. The grade obtained in each aspect made up 50% of the overall grade awarded to the institution evaluated.

In order to assess the **institution's publicly available official information**, the IAIP verifies that each agency's transparency portals contain information about the following aspects: institutional regulatory framework, organizational structure, directory and curriculum of officials, budget, selection procedures, advisors, remunerations, annual operating plan, annual reports, services provided, travel, Access to Public Information Unit (Unidad de Acceso a la Información Pública, UAIP), inventory of movable assets, list of works, subsidies and tax incentives, public resources allocated to private parties, permits, licenses and grants, procurement and hiring, list of bidders and contractors, citizen participation and accountability, IAIP compliance indicators, statistics, rulings issued, minutes, reserved information index, file organization guide,

resolutions of the access to public information unit, reproduction costs and information requests. The IAIP also evaluates several other aspects of the official information, including that the institution has published the information on its transparency portal (that is to say, scattered information in other parts of the institutional website is not evaluated), each sub-section being evaluated has complete information, the format of the information is easy to process, the information is updated, and that it is possible to copy information in text format for later use or processing.<sup>29</sup>

The rating for **document and file management** is based on compliance with nine guidelines established by the IAIP. The elements in which the required entities are evaluated in this area include the creation of a Document and Archives Management Unit, allocation of resources to said unit, existence of training and education methods in this subject, as well as institutional regulations on this subject. The IAIP also evaluates how the management archives are organized, guidelines for electronic document management, the creation of a committee for the selection and elimination of documents, the conditions of the central archive, and in general, the level of implementation of the Institutional System of Document and File Management.<sup>30</sup>

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## TRANSPARENCY IN SECURITY AND JUSTICE AGENCIES

According to the IAIP, the scale of the active transparency ratings for the entities evaluated are: "high" (rating between 9 and 10), "intermediate" (rating between 5 and 8.99) and "low" (rating between 0 and 4.99).

In the case of the **Ministry of Justice and Public Security (MJSP)**, its active transparency score was 8.8 in the pilot audit report (2015) and 6.07



in the first assessment of official information in 2016. In a second institutional transparency report of 2016, it obtained a 7.67 rating for its official information and a 2.99 rating for its document management, equating to an overall rating of 5.33. In the 2017 institutional transparency report, the availability of official information was rated 7.02, and a rating of 4.81 was given for the document and file management of this entity, equating to a 5.91 overall rating.

Regarding the **Ministry of National Defense (MDN)**, its active transparency rating was 9.02 in the pilot audit report (2015). It then obtained a 8.45 rating in the first assessment of official information of 2016. In the second 2016 institutional transparency report, it obtained a 6.23 rating for its official information and a 4.65 for its document management, equating to an overall rating of 5.44. In the 2017 institutional transparency report, the availability of official information was rated 8.82, and a 6.0 rating was given to the document and file management of this entity, equating to a 7.41 overall rating.

The **National Civil Police (PNC)** was not evaluated in the pilot audit report of 2015. It obtained a score of 6.30 in the first assessment of official information of 2016. In the second report of Institutional transparency of 2016, it obtained a 4.73 rating for its official information and a 3.85 for its document management, equating to an overall rating 4.29. In the 2017 institutional transparency report, the PNC earned an extremely low rating (2.22) regarding availability of its official information. Likewise, the PNC obtained a rating of 4.46 for its document and file management. Based on these elements, the PNC was given an overall rating of 3.34.

The **Supreme Court of Justice (CSJ)** was not evaluated in the pilot audit report of 2015. The CSJ obtained a rating of 7.71 in the first official information assessment of 2016. In the second

institutional transparency report of 2016, it received a 7.25 rating for availability of its official information and a 3.95 for its document management, equating to an overall rating of 5.60. In the 2017 institutional transparency report, the rating for availability of official information was 8.94, while its document and file management was rated 7.12. As a result, the overall rating obtained by the CSJ that year was 8.03.

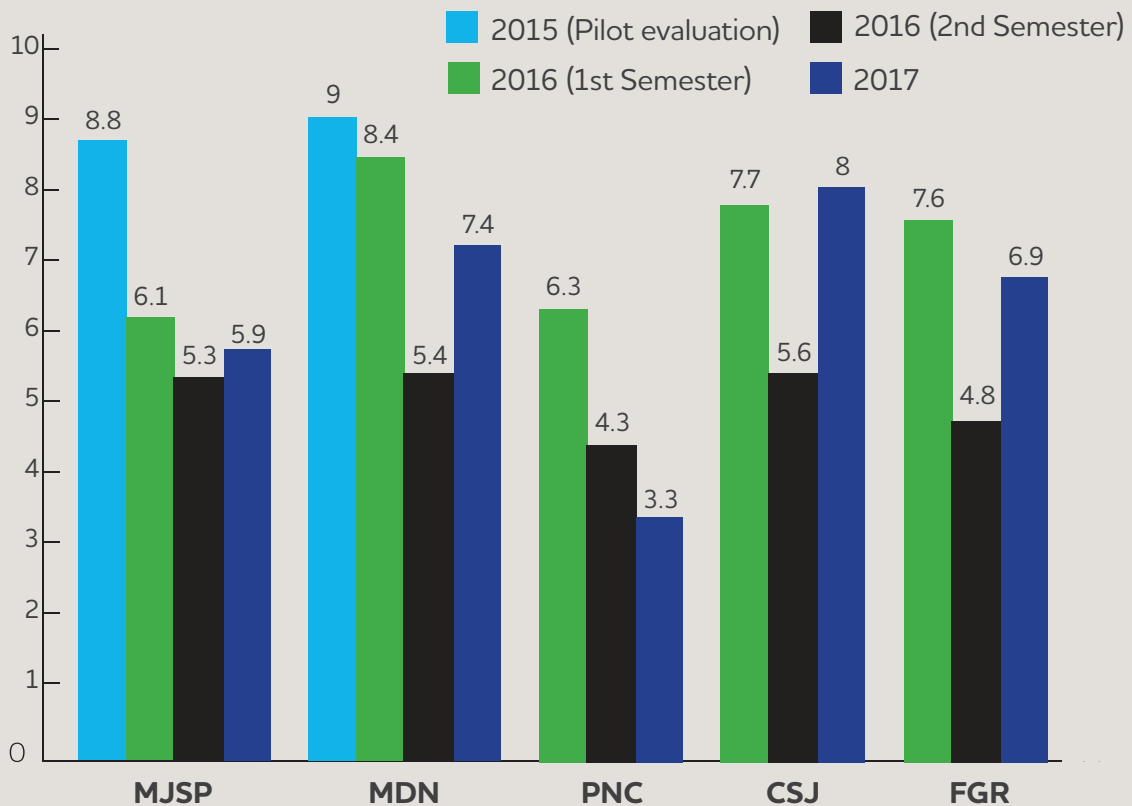
The **Attorney General's Office (FGR)** was not evaluated in the 2015 pilot audit report. In the first official information assessment of 2016, it obtained a rating of 7.65. In the second institutional transparency report of 2016, it received a 7.05 rating for its official information and a 2.62 for its document management, equating to an overall rating of 4.84. In the 2017 institutional transparency report, the availability of official information of the FGR was rated 8.2, and its document and file management was given a 5.68 rating, equating to an overall score of 6.94. The ratings described above are summarized in Graph 1.

The Supreme Court of Justice was the only entity that had a slight improvement in its active transparency rating when comparing 2017 with previous years. For 2017, the Ministry of Justice and Public Security and the Ministry of National Defense received lower ratings than those obtained in the first audit of 2015. Ratings of the Attorney General's Office and the National Civil Police also went down when comparing their ratings in 2017 with the first time that these entities were evaluated in 2016. The PNC has the most noteworthy decline between the beginning of 2016 and 2017.

We used this data to calculate averages across the institutions. To calculate the average for the MJSP and the MDN, the 2015-2017 ratings for compliance with transparency obligations were

## GRAPH 1

### SCORES ASSIGNED TO INSTITUTIONS IN TRANSPARENCY EVALUATIONS, FROM 0 (LEAST TRANSPARENT) TO 10 (MOST TRANSPARENT), 2015-2017



Source: Compiled using IAIP data

combined. For the PNC, CSJ and FGR, three ratings from 2016 and 2017 were averaged. Taking this into account, the MDN received an average score of 7.55, 7.1 for the CSJ, 6.52 for the MJSP, and 6.43 for the FGR. These ratings correspond to the “Intermediate” level of qualifications, according to the established scale created by the IAIP. In contrast, the PNC obtained an average of 4.63, which corresponds to the “low” level of ratings.

It is important to highlight that the audit report carried out by the IAIP in 2017 included 100% of the non-municipal entities subject to the LAIP. When comparing the entities of special interest to this study to of the 96 entities evaluated in

the 2017 report, the Supreme Court of Justice ranked 11th in average ratings given, making it the highest rated of the five entities in this study. Meanwhile, the Ministry of National Defense placed 26th and the Attorney General's Office ranked 41st. The overall ratings earned by these three entities qualify them as approved in terms of the basic aspects of active transparency.

By contrast, among the failed entities are the Ministry of Justice and Public Security, which ranked 63rd in average ratings, followed by the National Civil Police, which placed 84th. The PNC is among the 20 worst evaluated entities in terms of its level of compliance with transparency elements in 2017.

# LIMITATIONS TO PUBLIC INFORMATION: RESERVED INFORMATION AND CONFIDENTIAL INFORMATION

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The LAIP determines some restrictions on the information that should be made public, especially when the data compromise national security, personal security, investigation processes of illegal activity, or international negotiation, among others.<sup>31</sup>

According to Article 19 of the LAIP, the types of information that are considered “reserved” are detailed in the Box 5.

## BOX 5

### INFORMATION CONSIDERED RESERVED UNDER THE LAIP TITLE II, CHAPTER II



Reserved information includes:

Secret military plans and political negotiations indicated in article 168, ordinal 7, of the Constitution.

Information that harms or puts national defense and public security at risk.

Information that undermines international relations or the handling of diplomatic negotiations in the country.

That which clearly endangers the life, safety or health of any person.

That which contains opinions or recommendations that are part of the deliberative process of public servants, as long as a final decision is not taken.

That which causes damage in the prevention, investigation or prosecution of illegal acts, in the administration of justice, or in the verification of compliance with laws.

That which compromises state strategies and functions in judicial or administrative proceedings in progress.

That which can generate an undue advantage to a person to the detriment of a third party.

It is important to note that, according to the LAIP, the reserved label must not be invoked when the information concerns the investigation

of serious violations of fundamental rights or crimes of international importance.

As established in Article 20 of the LAIP, information that is reserved may remain so for a period of seven years. The LAIP may extend the reservation period by an additional five years at the request of the institution, provided that the justification for reserving the information is still applicable. In addition, the reserved information can be declassified when the causes that justified the reservation no longer exist. At the end of the reservation period, the information must be made public. In addition, Article 22 of the LAIP states that the Units of Access to Public Information must prepare and publish semiannual indexes of the information classified as reserved.<sup>32</sup>

According to Article 21 of the LAIP, in the event that one determines that information must be reserved, the appropriate entity must prove that the information meets the following criteria:

1. That the information fits into any of the causes of exception to access to information.<sup>33</sup>

2. That the release of the referenced information may threaten the legally protected party of interest.
3. That the damage that could occur with the release of the information be greater than the public interest in knowing the referenced information.

In accordance with Article 21 of the LAIP, the issuing agency must submit a declaration that includes the entity or source that produced the information, the date or event established, the authority that adopted the decision to reserve the information, the persons and agencies authorized to have access to the information (to ensure future confidentiality if necessary), and the parts of the information that are subject to reservation and those that are available for public access.

Article 24 of the LAIP defines information that should be considered confidential as outlined in Box 6.

## BOX 6

### INFORMATION CONSIDERED CONFIDENTIAL UNDER THE LAIP TITLE II, CHAPTER III



Confidential information includes:

That which refers to the right to personal and family privacy, honor and self-image, and medical records whose disclosure would constitute an invasion of privacy.

That information which is given to the obligated agencies by private individuals whose contents, by nature, are characterized by having the right to privacy.

Personal data that requires the consent of individuals for its dissemination.

Professional, commercial, industrial, fiscal, banking, fiduciary or other secrets considered as such by a legal provision.

Unlike reserved information, which becomes public after a certain term has passed, information that is classified as confidential is not subject to a specific time period. The General Guidelines for the classification, declassification and handling of confidential information established by the IAIP states that confidential information remains so indefinitely. However, it can be declassified when a competent authority orders it or the law authorizes access to the information.<sup>34</sup>

Upon examining the indexes of reserved information published in the transparency portals of the six entities analyzed in this report, during the 2014-2017 period, the Ministry of National Defense stands out for having the highest number of records categorized as reserved (580). Most of these records (62.4%) were deemed reserved in 2014. The National Civil Police follows, with a total of 210 records reserved for this same period and 46.2% of them put in reserve in 2016. Third was the Ministry of Justice and Public Security, with 175 reserved in the 2014-2017 period with more than half of them (55.4%) deemed reserved in 2016. The Attorney General's Office reported 20 reserved records during that period, while the Supreme Court of Justice only reserved four, and the Legislative Assembly did not report reserved information in any of the years under study. (For more details on the reserved records, see Annex 1).

Upon analyzing the three entities that have placed the most information in reserve (MDN, MJSP and PNC), the data show that the documents classified by the MDN relate to

military plans, strategic acquisitions, and “special reserved information”. The documents classified by the PNC include logbooks of deposits and expenditures of police personnel, payroll at the national level, audios of calls taken by the Emergency Division, camera footage from the the video surveillance control center of the Emergency Division, manuals of standards and investigative procedures, inventories and data on the supply of weapons and ammunition, internal documents of the Sub-Directorate of Intelligence, operational plans and reports, and records of investigative procedures conducted on PNC personnel, among others.

On the other hand, the MJSP reserved examples of several types of information, including studies, plans, protocols and safety reports, the approval procedures for purchasing explosive material for the Ministry of National Defense, arms loan applications for practice exercises, legislative and executive draft decree proposals promoted at the initiative of the Secretary of State, the maximum amount authorized by the institution for the acquisition of capitalizable goods or consumable items and non-personal services, judicial and administrative documents from the Legal Department, the acquisition of police equipment (vehicles, weapons, ammunition), the audit reports of the Internal Audit Department, and the ministerial agreements and resolutions issued based on Legislative Decree 321, in which the special and transitory provisions of the penitentiary centers, prison farms, interim centers and temporary detention centers, among others, were enforced.

**TABLE 14****NUMBER OF RECORDS CLASSIFIED AS RESERVED, 2014-2017**

Year	Ministry of National Defense	National Civil Police	Ministry of Justice and Public Security	Attorney General's Office	Supreme Court of Justice
2014	362	55	62	9	0
2015	193	15	15	4	1
2016	20	97	97	7	0
2017	5	43	1	1	3
<b>Total</b>	<b>580</b>	<b>210</b>	<b>175</b>	<b>20</b>	<b>4</b>

*Source: Compiled using data on the transparency portals of the MDN, PNC, MJSP, FGR and CSJ (2014-2017)*

## PASSIVE TRANSPARENCY: PUBLIC INFORMATION REQUESTS

Passive transparency refers to providing information upon demand with regard to the public's right to access information. Improving transparency implies that citizens take a more active, direct, and effective part in monitoring and driving public affairs.<sup>35</sup> It is unrealistic to think that there will be a responsible, effective, clean and open government if citizens do not demand it.<sup>36</sup>

In the case of El Salvador, the Institute of Access to Public Information (IAIP) has stressed that the Right to Access Public Information, recognized by the Constitutional Chamber of the Supreme Court of Justice, must be protected by practical means that allow its free exercise through effective and expeditious procedures, to

guarantee democratic control of state activities and limit corruption. The IAIP adds that this right gives all citizens the power to request and receive information of public interest, from the State or any institution that manages public funds, such as information related to the management of funds, execution of projects, bidding processes for works and services, among other fields. In El Salvador, the Law on Access to Public Information (LAIP), in its Title VII, establishes the procedure for access to information before the required entities. According to LAIP, the right to access public information must be guaranteed for any natural or legal person, including children and adolescents, as well as national and foreign persons. Several of the basic aspects of this procedure are detailed in Box 7.

## BOX 7

### THE PROCESS OF FILING PUBLIC INFORMATION REQUESTS



#### Art. 66

Information requests

Any person or representative may submit to the **information officer** a request in writing, verbal, electronic or by any other suitable means.

#### Art. 67

Information in the hands of private entities

Information requests in mixed economy societies and individuals or legal entities bound by the LAIP will be processed before the **information officer** of the public entity to which their supervision corresponds or with which they are related.

#### Art. 69

Information officers

The **information officer** will be the link between the obligated entity and the applicant, responsible for making notices as referred to in the law, and carrying out all the necessary steps in the agency or entity in order to facilitate access to the information.

#### Art. 71

Response deadlines

The response to the request must be made in the shortest possible time, which may not be longer than **ten business days**, provided that the information does not exceed five years from having been generated. If it exceeds five years, the term could be extended by ten more business days.

#### Art. 72

Ruling

The **information officer** must rule, based on a pre-existing reservation that denied access to the information, whether the information is confidential or not, or if access to the information is granted.

#### Art. 75

Effects of the lack of response

The lack of response to a request for information within the established period enables the applicant to go to the institute within the following fifteen business days. If the information is publicly available, the IAIP will order access to the interested party and will initiate the corresponding process if there has been an infringing behavior. If the refusal to deliver the information persists, the interested party may report this to the IAIP.

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## AVAILABLE STATISTICS ON INFORMATION REQUESTS AND RESPONSES

One of the key challenges in analyzing compliance with passive transparency requirements, in other words, to what extent the institutions adherent to the LAIP provide the information requested by citizens, is the lack of approved and centralized statistics containing the number of requests that the information officers of each entity receive year after year. In particular, data documenting the number of requests where information is delivered versus the number of requests denied is lacking, as well as the grounds for the denial.

Of the five security and justice entities analyzed, three (MJSP, PNC and CSJ) do not have a statistical record of the total number of information requests received each year and the amount of cases in which the information requested from users was delivered or denied. This makes it impossible to know what proportion of requests were answered. The other two entities (MDN and FGR) have statistical data, but it is incomplete for the period analyzed, as set out below:

In the case of the **Ministry of Justice and Public Security**, only one of its sections in its transparency portal contains documents that show resolved information requests. The documents are available for the entire period studied (2014-2017) and can be filtered by year. However, when reviewing the correlative numbers of the resolutions, there appear to be some sequence inaccuracies and missing resolutions.

Similarly, the **National Civil Police** has only made available request resolution documents for three of the years analyzed. In addition, the

search engine does not allow the resolutions to be filtered by year easily, which makes identification and accounting difficult.

The **Judiciary** has stored documents with its resolutions to requests in its transparency portal for the four years analyzed. In the case of this entity, it is possible to filter the resolutions by year. However, the resolutions are not always assigned numbers in the correct sequence as established by internal institutional procedures. This can cause confusion to the user as to the order in which the resolutions have been organized.

The two entities that have consolidated statistics per year of information requests received and answered are the Ministry of National Defense and the Attorney General's Office.

The **Ministry of National Defense** has stored these statistics in the LAIP Compliance Indicators section of its transparency portal. Statistics were available for three of the years analyzed (2015, 2016 and 2017). The data indicates that the flow of information requests has remained without notable variations throughout the three years of which data are available. Likewise, the requested information was delivered in 78.8% of the requests presented in 2015, 96.2% of the requests in 2016 and 89.8% of the information requests in 2017.

Regarding the **Attorney General's Office**, the Unit of Access to Public Information (UAIP) produced statistics on information requests received and responded to, although the requests have been processed in non-comparable periods (sometimes covering a span of months, other times yearly). In addition, although there is information for the years 2014, 2015, and 2016, for the year 2017, only the documents containing the resolutions to the requests are available; and these do not have



**TABLE 15****INFORMATION REQUESTS TO THE MINISTRY OF NATIONAL DEFENSE  
2015- 2017**

Response to requests	2015	2016	2017
Delivered	123	153	115
In progress	0	0	0
Declined	33	6	13
No answer	0	0	0
Withdrawn	0	0	0
Redirected to other entities	0	0	0
<b>Total requests</b>	<b>156</b>	<b>159</b>	<b>128</b>

*Source: MDN transparency portal*

**TABLE 16****INFORMATION REQUESTS TO THE ATTORNEY GENERAL'S OFFICE, 2014-2016**

Response to requests	2014 January to May	2014 June to December	2015	2016 January to August	2016 September to December
Delivered	N/a	N/a	437	511	177
Denied	N/a	N/a	116	27	11
No answer	N/a	N/a	0	N/a	N/a
Withdrawn	N/a	N/a	78	N/a	N/a
Redirected to other entities / internal administrative processing	N/a	N/a	56	24	31
Filed	N/a	N/a	N/a	72	55
<b>Total requests</b>	<b>69</b>	<b>121</b>	<b>687</b>	<b>634</b>	<b>274</b>

*Source: FGR transparency portal*

a statistical component. In fact, when clicking a link to access a file entitled “2017 Statistics of the UAIP” on the portal, a document appears with statistics for the last months of 2016.

While the number of requests received was recorded in 2014, the requests were not disaggregated in a manner comparable with the following two years in terms of the type of response provided to the user. In addition, the way in which categorization of responses to requests varies between 2015 and 2016. The data show that the volume of information requests was markedly higher in 2015 and 2016 in comparison to 2014. In 2015, 63.6% of the requested information was delivered, while in 2016, 75.8% of the requested information was delivered.

In the log of information requests<sup>37</sup> within the Transparency Portal of the IAIP, there is an accounting tool for public information requests in which the requests can be consolidated or disaggregated according to the entity, date or period, type of information, and status of the request (ruled out, in process, closed, not remedied, not recognized). However, no records were found in said section of the portal for any of the five entities of interest that corresponded to the 2014-2017 period.

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## DIFFICULTIES IN ACCESSING REQUESTED INFORMATION

In cases where access to information is prevented due to discrepancies in the information requested or in the audited actions of the obligated entities which have to comply with the LAIP, applicants can go to IAIP to demand that the State fulfill their right. To this end, the LAIP has established three procedures: the appeal process, the sanctioning process, and the process for non-response.<sup>38</sup>

The appellate process applies to those who are denied access to the requested information, are given incomplete information, receive information in an incomprehensible format, are denied the delivery or correction of personal data, or who disagree with the time, cost or mode of delivery of the information. The sanctioning process is applied when there is a violation of requirements established by the LAIP. This takes place through an IAIP administrative procedure that can be initiated through filing of a particular complaint or ex officio by the Institute upon hearing that an infraction was committed. On the other hand, in cases where the authorities do not respond to what is required by individuals within the term imposed by the LAIP, applicants can initiate a non-response process.<sup>39</sup>

Table 17 consolidates the processes initiated in the IAIP by information requestors and according to the IAIP annual reports of the period March 2013 to August 2018. Although the period examined is 2014-2017, the information covered several months of 2013 and 2018 due to the frequency with which the IAIP brings together the information. These time frames do not correspond (as can be seen) to calendar years.

This table shows that between March 2013 and August 2018, 76.3% of the procedures registered in the IAIP Legal Unit corresponded to appellate processes, 15.5% were processes for non-response, and 8.2% corresponded to sanctioning processes. This indicates that the most frequent reason why people initiate procedures in the IAIP is because they disagree with the decision initially issued by the Information Officers of the institutions.

When the main reasons or causes for which people go to the IAIP are analyzed, it is shown that, between March 2013 and August 2017, the IAIP reported 379 disputes related to denial

**TABLE 17**

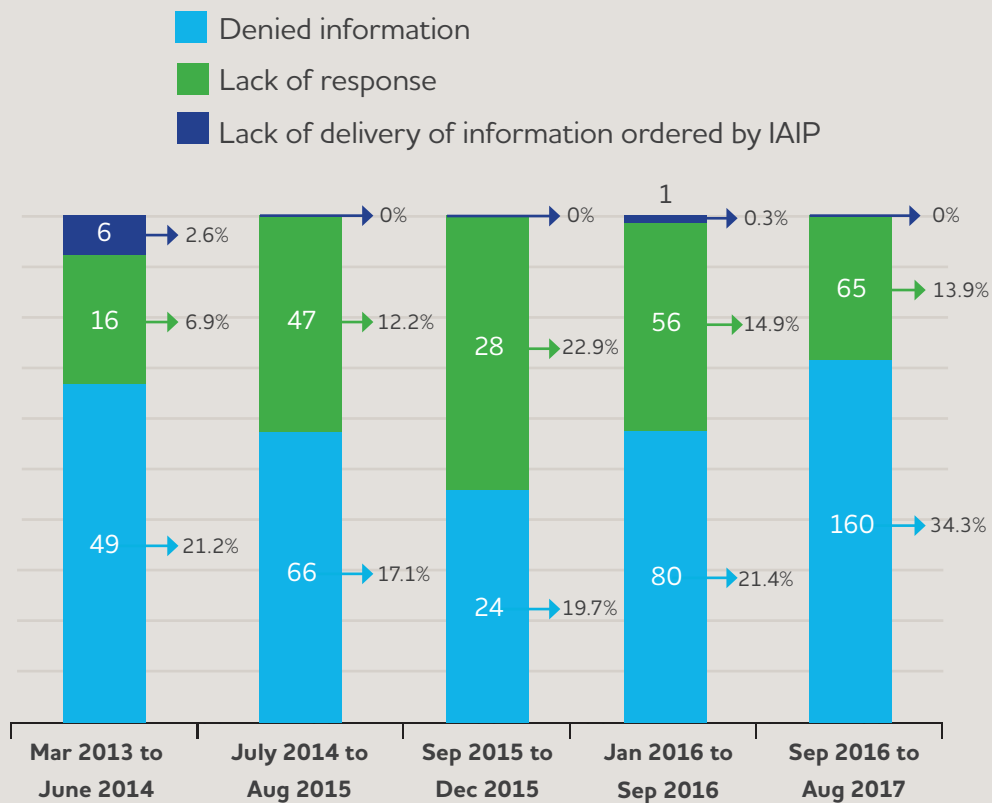
**TYPES OF PROCEDURES INITIATED IN THE IAIP 2013-2018**

Period reported	Appellate	Sanctioning	Non-response
March 2013 to June 2014	175	24	16
July 2014 to August 2015	286	26	55
September 2015 to September 2016	374	25	81
September 2016 to August 2017	362	41	63
September 2017 to August 2018	266	41	82
<b>Total for the period</b>	<b>1,463</b>	<b>157</b>	<b>297</b>

Source: IAIP work report (2014, 2015, 2016, 2017, 2018)

**GRAPH 2**

**TYPES OF PROCEDURES INITIATED BY CITIZENS AT THE IAIP, 2013-2017**



Source: IAIP annual report (2014, 2015, 2016, 2017, 2018)

of information, 212 disputes related to lack of response and 7 disputes corresponded to non-delivery of the information ordered by the IAIP. Although the period examined is 2014-2017, the information covered several months of 2013 and not all of 2017 due to the frequency with which the IAIP brings together the information. These time frames do not necessarily correspond to calendar years.

Overall, 63.4% of the disputes related to denial of information, 35.4% of them related to lack of response, and 1.2% of them related to lack of

delivery of information ordered by IAIP.

A recent investigation identified a series of actions carried out by some public entities that ended up impeding access to public information in El Salvador. These actions have been synthesized in Box 9.

Among the most opaque issues in El Salvador (or information that is most frequently denied) are those related to civil war archives and audits of public funds. The study also identifies the main arguments that institutions use to deny access

## BOX 8

### INSTITUTIONAL PRACTICES THAT HAVE IMPEDED ACCESS TO PUBLIC INFORMATION



Some public entities—such as sub-offices of the presidency—have increased requirements for requests for information, further complicating the process.

Some entities calculate the deadline for the delivery of information based on the date when they review the request, rather than the date when the information request was filed.

Other institutions extend the deadline on the last date of the established deadline as established by the law

If the information request doesn't include the exact name of a certain type of document, the public institution will not deliver it or will declare it non-existent.

The classification of certain types of information as "reserved" has been abused by certain institutions.

Some institutions have turned down requests by claiming they are "public companies" or private entities, and deny information even if they manage public funds.

Some entities provide empty or incomplete answers on sensitive issues, especially when information requests concern corruption cases or or sanctions against public officials.

Some entities provide incomplete information so as to obscure nepotistic hiring practices and the hiring of unqualified candidates. Entities will also do this in order to fudge information regarding salary levels.

Many of El Salvador's municipalities lack a full-time information officer.

There are significant issues in terms of the executive branch stalling requests for access to information and delivering incomplete responses.

*Source: Castro, Arrieta and Figueroa (2019)*

to information, claiming that the information is non-existent (which constitutes an argument about the physical restriction of access), the information is reserved or confidential, the entity that received the request did not have proper jurisdiction. These three arguments originate from the law.<sup>40</sup>

Finally, to illustrate some of the resistance that citizens have encountered in requesting information from the institutions analyzed in

this report (CSJ, MDN, FGR, MJSP, AL and PNC), as well as the role of the Institute of Access to Information Public in these cases, a consolidation of what the IAIP considers “relevant cases of access to public information” was prepared for the 2013–2017 period. The information is presented according to the periods covered in the IAIP reports, in which the reported month blocks do not always coincide with calendar years.

## BOX 9

### RELEVANT CASES HIGHLIGHTED IN IAIP REPORTS, RELATED TO INFORMATION REQUESTS FILED WITH THE CSJ, MDN, FGR, AND PNC, 2013–2017



Entity involved	Date of IAIP report	Summary of the case
Supreme Court of Justice	2013–2014	<p>The information request concerned a <b>copy of emails exchanged from the official accounts</b> of Solomon Padilla, former president of the Supreme Court of Justice, and David Orestes, a former legal affairs manager in the Judiciary.</p> <p>The Supreme Court initially denied the request, citing the right to privacy and protection of personal data. Because the emails were exchanged in connection to the exercise of public functions, through a platform maintained by taxpayer funds, the IAIP ruled that the information was public and needed to be delivered.</p>
Ministry of National Defense	2013–2014	<p>The information request concerned details of <b>military operations conducted by the Armed Forces</b> in Suchitoto, Cuscatlán, in February 1983, and in Tecoluca, San Vicente, in July 1981. The request also concerned information about the scope and results of these military campaigns. In response, the Ministry of National Defense stated that the information did not exist.</p> <p>The IAIP noted that each person has the right to know the truth of past events, and that the state must preserve the archives and evidence related to human rights violations. The IAIP also said that the defense ministry had to document the refusal to provide the information: that is, proactively demonstrate that such information does not exist. In the case that the information was missing, the IAIP ordered that the information be recovered and reconstructed, via a new search of ministry archives, the consultation of people who could have access to information, and verifying whether documents containing the information were destroyed.</p>

Entity involved	Date of IAIP report	Summary of the case
Ministry of National Defense	2014-2015	<p>The information request concerned the final report of the <b>Historical Review and Interpretation Commission</b> of the Armed Forces, created at the order of former President Mauricio Funes in January 2012. The request asked for copies of the commission’s work and expense records.</p> <p>The Ministry of National Defense denied the request, asserting that the information was reserved (the ministry did partially comply in delivering information regarding expenses). The IAIP revoked the ministry’s decision and ordered that the information request be met in full.</p>
Attorney General’s Office	2014-2015	<p>The information request concerned <b>trips by the attorney general</b> throughout 2013 and 2014.</p> <p>The FGR denied the request, alleging that it involved reserved information. The IAIP revoked this decision and ordered the FGR to provide travel information, including travel dates, destination, type of travel expenses allocated, and cost of airplane tickets. An IAIP evaluation indicates that the FGR did not comply with this order and moved to challenge it.</p>
Supreme Court of Justice	2014-2015	<p>The information request concerned the number of judges involved in disciplinary proceedings in the previous five years and the current phase of their legal cases. The request asked for a <b>list of judges involved in disciplinary proceedings, the date of allegation, the alleged misconduct</b>, the number of complaints against each judge in El Salvador, the top 25 judges facing the highest number of official misconduct complaints. The Supreme Court denied the request, indicating that part of the information was classified as confidential and the rest was classified as reserved. The IAIP revoked this decision, declassified the information, and ordered its delivery. The CSJ complied in doing so.</p>
Supreme Court of Justice	2014-2015	<p>The information request concerned the <b>list of judges and magistrates</b> who’d failed the last two evaluations of the National Judicial Council. The Supreme Court told the applicant to look for that information on the institution’s website (where it was not available), and stated that the judges did not fail, but rather were rated “unsatisfactory.” The IAIP reversed this decision and ordered that the information be delivered; the Supreme Court complied</p>
Supreme Court of Justice	2014-2015	<p>The information request concerned a <b>certified copy of the declarations of assets</b> submitted by Judge Rodolfo González Bonilla under the Probity Law, from 2009 to 2014. The CSJ responded by delivering information that was already publicly available, and incomplete. The IAIP reversed the decision and ordered the CSJ to fully respond to the information request; the CSJ complied.</p>

Entity involved	Date of IAIP report	Summary of the case
National Civil Police	2014-2015	The information request involved a copy of a <b>video of a traffic accident</b> that occurred in May 2015. The PNC denied the delivery of this copy on the grounds that it was reserved information. The IAIP reversed the resolution and ordered the PNC to declassify the information and deliver a public version of the video. The IAIP requested that the images of people who were not part of the accident be censored.
Supreme Court	2016-2017	The information request involved <b>reports and audits around the declaration of assets by current and former public officials</b> , including José Belarmino Jaime (ex-president of the Judiciary), Ana Vilma Albanez (former vice president), Carlos Quintanilla Schmidt (former vice president), Luis Mario Rodríguez (former legal secretary of the presidency) and José Domingo Méndez (former president of the Judiciary). The IAIP ordered that the information be delivered, given that it is in the public interest.
Ministry of National Defense	2016-2017	The information request concerned <b>weapons loaned by the Ministry of National Defense to government officials, former officials or government institutions</b> . The ministry denied the request, stating that the information was classified as reserved, a decision that the citizen behind the information request appealed. The IAIP reversed the ministry's ruling and ordered that the information be declassified and delivered to the appellant.
Ministry of National Defense	2016-2017	The information request concerned the destruction of weapons by the defense ministry from 2010-2012. The ministry denied the request, stating that the information was classified as reserved, a decision that the citizen behind the information request appealed. The IAIP reversed the ministry's ruling and ordered that the information be declassified and delivered to the appellant.

*Source: IAIP, annual reports 2013 to 2018*

# ACRONYMS AND ABBREVIATIONS

<b>CSJ</b>	Supreme Court of Justice
<b>FGR</b>	Office of the Prosecutor General of the Republic
<b>IAIP</b>	Institute for Access to Public Information
<b>Iudop</b>	University Institute for Public Opinion
<b>LAIP</b>	Law on Access to Public Information
<b>LEIFEP</b>	Law on Illicit Enrichment of Public Officials and Employees
<b>MDN</b>	Ministry of National Defense
<b>MJSP</b>	Ministry of Justice and Public Security
<b>OJ</b>	Judiciary
<b>PNC</b>	National Civil Police
<b>UAIP</b>	Access to Public Information Unit
<b>UTE</b>	Executive Technical Unit of the Justice Sector
<b>WOLA</b>	Washington Office on Latin America



# ANNEX 1

## OVERVIEW OF RESERVED INFORMATION (2014-2017)

### INFORMATION RESERVED BY THE MINISTRY OF NATIONAL DEFENSE, ORDERED BY YEAR OF RESERVATION DESIGNATION

#### 2014

Type of document	Entity	Year designated as reserved	Number of documents	Duration of designation
1- Military planning	a. Ministry of National Defense	2014	69	7 years
	b. Joint Staff of the Armed Forces		88	7 years
2- Strategic acquisitions	----	2014	105	7 years
3- Classified information of a special nature	a. Ministry of National Defense	2014	100	7 years
	b. Joint Staff of the Armed Forces		0	7 years
Total			362	

#### 2015

Type of document	Entity	Year designated as reserved	Number of documents	Duration of designation
1- Military planning	a. Ministry of National Defense	2015	14	7 years
	b. Joint Staff of the Armed Forces		66	7 years
2- Strategic acquisitions	----	2015	38	7 years
3- Classified information of a special nature	a. Ministry of National Defense	2015	75	7 years
	b. Joint Staff of the Armed Forces		0	7 years
Total			193	

## 2016

Type of document	Entity	Year designated as reserved	Number of documents	Duration of designation
1- Military planning	a. Ministry of National Defense	2016	6	7 years
	b. Joint Staff of the Armed Forces		0	7 years
2- Strategic acquisitions	----	2016	12	7 years
3- Classified information of a special nature	a. Ministry of National Defense	2016	2	7 years
	b. Joint Staff of the Armed Forces		0	7 years
Total			20	

## 2017

Type of document	Entity	Year designated as reserved	Number of documents	Duration of designation
1- Military planning	a. Ministry of National Defense	2017	0	7 years
	b. Joint Staff of the Armed Forces		0	7 years
2- Strategic acquisitions	----	2017	0	7 years
3- Classified information of a special nature	a. Ministry of National Defense	2017	3	7 years
	b. Joint Staff of the Armed Forces		2	7 years
Total			5	

## INFORMATION RESERVED BY THE NATIONAL CIVIL POLICE ORDERED BY YEAR OF RESERVATION DESIGNATION (2014-2017)

**Explanatory note:** To accurately reflect the information published by the PNC, some reserved documents that appear to be identical have been kept in this summary table, despite having the same thematic titles and dates of reservation. It is not possible to determine if these are duplicate classifications given the information provided. They are included in this summary in a manner consistent with the PNC's publications

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
San Salvador Norte, Apopa Branch	Log of inflow and outflow of police personnel from the San Salvador Norte branch in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
San Salvador Norte, Apopa Branch	Log of inflow and outflow of police personnel from the San Salvador Norte branch in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Centro Apopa Branch	Log of inflow and outflow of police personnel from the Centro Apopa branch in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station San Andrés, Apopa	Log of inflow and outflow of police personnel from the San Andrés police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Las Jacarandas, Apopa	Log of inflow and outflow of police personnel from the Las Jacarandas police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Valle Verde, Apopa	Log of inflow and outflow of police personnel from the Valle Verde police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Miramundo, Apopa	Log of inflow and outflow of police personnel from the Miramundo police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Nejapa, Apopa	Log of inflow and outflow of police personnel from the Nejapa police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Tonacatepeque Branch	Log of inflow and outflow of police personnel from the Nejapa branch in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Distrito Italia, Tonacatepeque	Log of inflow and outflow of police personnel from the Italia district police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Aguilares Branch	Log of inflow and outflow of police personnel from the las Aguilares branch in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Guazapa	Log of inflow and outflow of police personnel from the Guazapa police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station El Paisnal	Log of inflow and outflow of police personnel from the El Paisnal police station in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Department of Investigations	Log of inflow and outflow of police personnel from the Department of Investigations in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Department of Land Traffic Control	Log of inflow and outflow of police personnel from the Department of Land Traffic Control in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Nejapa Rural Police Base	Log of inflow and outflow of police personnel from the Nejapa Rural Police Base in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
911 Emergency System, Apopa	Log of inflow and outflow of the 911 Emergency System police personnel in 2011. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
San Salvador Norte, Apopa Branch	Log of inflow and outflow of police personnel from the San Salvador Norte branch in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Centro Apopa Branch	Log of inflow and outflow of police personnel from the Centro Apopa branch in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station San Andrés, Apopa	Log of inflow and outflow of police personnel from the San Andrés police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Las Jacarandas, Apopa	Log of inflow and outflow of police personnel from the Las Jacarandas police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Valle Verde, Apopa	Log of inflow and outflow of police personnel from the Valle Verde police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Santa Teresa las Flores, Apopa	Log of inflow and outflow of police personnel from the Santa Teresa las Flores police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Miramundo, Apopa	Log of inflow and outflow of police personnel from the Miramundo police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Nejapa	Log of inflow and outflow of police personnel from the Nejapa police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Tonacatepeque Branch	Log of inflow and outflow of police personnel from the Tonacatepeque branch in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Italia District, Tonacatepeque	Log of inflow and outflow of police personnel from the Italia district police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Libertad, Tonacatepeque	Log of inflow and outflow of police personnel from the Libertad police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Aguilares Branch	Log of inflow and outflow of police personnel from the Aguilares branch in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station Guazapa	Log of inflow and outflow of police personnel from Guazapa police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Police Station El Paisnal	Log of inflow and outflow of police personnel from El Paisnal police station in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Department of Investigations	Log of inflow and outflow of police personnel from the Department of Investigations in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Prevention Department, Apopa	Log of inflow and outflow of police personnel from the Prevention Department in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Department of Land Traffic Control, Apopa	Log of inflow and outflow of police personnel from the Department of Land Traffic Control in 2015. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Nejapa Rural Police Base	Log of inflow and outflow of police personnel from the Nejapa Rural Police Base in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
911 Emergency System, Apopa	Log of inflow and outflow of police personnel from the 911 Emergency System in 2012. Reservation period from designation until expiry of duration.	August 12, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of inflows and outflows of operational and administrative staff of the Department of Investigation in Lourdes, Colón (10/17/2013 to 01/16/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of inflows and outflows of operational and administrative staff of the Department of Investigations in Lourdes, Colón (01/15/2014 to 04/09/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of inflows and outflows of operational and administrative staff of the Department of Investigations in Lourdes, Colón (04/09/2014 to 06/25/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of inflows and outflows of operational and administrative staff of the Department of Investigations in Lourdes, Colón (06/26/2014 to 09/16/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of inflows and outflows of operational and administrative staff of the Department of Investigations in Lourdes, Colón (09/15/2014 to 11/18/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of inflows and outflows of operational and administrative staff of the Department of Investigations in Lourdes, Colón (11/18/2014 to 01/07/2015).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of the commissions conducted by operational and administrative staff of the Department of Investigations in Lourdes, Colón (12/17/2013 to 05/20/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of commissions conducted by operational and administrative staff of the Department of Investigations in Lourdes, Colón (05/20/2014 to 10/20/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of commissions conducted by operational and administrative staff of the Department of Investigations in Lourdes, Colón (10/20/2014 to 01/07/2015).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of relevant daily updates of the Department of Investigations in Lourdes, Colón (07/31/2013 to 05/01/2014).	September 5, 2014	7 years
Department of Investigations, Lourdes, Colón	Oversight book and log of relevant daily updates of the Department of Investigations in Lourdes, Colón (05/01/2014 to 01/07/2015).	September 5, 2014	7 years
Personnel Division	National police payroll.	September 5, 2014	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
911 Emergency Division	Audio recordings of calls attended to and made by the Emergency Division using 9-1-1 (January 1, 2011 – December 31, 2011).	December 15, 2014	7 years
911 Emergency Division	Audio recordings of calls attended to and made by the Emergency Division using 9-1-1 (January 1, 2012 – December 31 2012).	December 15, 2014	7 years
911 Emergency Division	Audio recordings of calls attended to and made by the Emergency Division using 9-1-1 (January 1, 2013 – December 31, 2013).	December 15, 2014	7 years
911 Emergency Division	Audio recordings of calls attended to and made by the Emergency Division using 9-1-1 (January 1, 2014 – December 31, 2014).	December 15, 2014	7 years
911 Emergency Division	Videos and images captured by various cameras of the Video Surveillance Monitoring Center of the 9-1-1 Emergency Division (October 4, 2011 – December 31, 2011).	December 15, 2014	7 years
911 Emergency Division	Videos and images captured by various cameras of the Video Surveillance Monitoring Center of the 9-1-1 Emergency Division (January 1, 2012 – December 31, 2012).	December 15, 2014	7 years
911 Emergency Division	Videos and images captured by various cameras of the Video Surveillance Monitoring Center of the 9-1-1 Emergency Division (January 1, 2013 – December 31, 2013).	December 15, 2014	7 years
911 Emergency Division	Videos and images captured by various cameras of the Video Surveillance Monitoring Center of the 9-1-1 Emergency Division (January 1, 2014 – December 31, 2014).	December 15, 2014	7 years
Subdirectorato de Land Traffic Control and Institutional Planning Unit	Norms and Procedures Manual of the Subdirectorato de Land Traffic Control.	January 30, 2015	2 years
Subdirectorato de Special Operations	Norms and Procedures Manual of the Subdirectorato de Special Operations.	January 30, 2015	2 years
Subdirectorato de Public Security	Norms and Procedures Manual of the Subdirectorato de Public Security.	January 30, 2015	2 years
Subdirectorato de Investigations and Institutional Planning Unit	Norms and Procedures Manual of the Subdirectorato de Investigations of the national police.	January 30, 2015	2 years
Subdirectorato de Rural Police and Institutional Planning Unit	Norms and Procedures Manual of the Subdirectorato de Rural Police.	January 30, 2015	2 years
Central Investigation Division (DCI) of the National Police	Information contained in internal oversight books, from January to December 2011.	February 19, 2015	7 years
Central Investigation Division (DCI) of the National Police	Information contained in internal oversight books, from January to December 2011.	February 19, 2015	7 years
Subdirectorato de Investigations and Institutional Planning Unit	Norms and investigative procedures manual, volumes I/II.	February 27, 2015	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Subdirectorato de Investigaciones and Institucional Planning Unit	Norms and investigative procedures manual, volumes II/II.	February 27, 2015	7 years
Subdirectorato de Investigaciones and Institucional Planning Unit	Norms and investigative procedures manual, volumes III/III. With particular attention to the Special Comprehensive Law for a Violence-Free Life for Women.	February 27, 2015	7 years
Supply Department, Logistics Division	Tutorial on regulating the standardization, management, use, and related legal aspects of the arms, munitions, and additional services of the National Civil Police. San Salvador December 2, 2013 No. 0017-12-2013.	March 4, 2015	7 years
Supply Department, Logistics Division	Inventory of inflows and outflows of Arms and Munitions, stocks, payrolls, reports, allocations, and consumption in the cost centers.	March 4, 2015	7 years
Regional Information Center (CRIP)	Folder titled "Personnel situation report from the central region in 2015."	October 2, 2015	7 years
Anti-gang Intelligence Division	Geographic distribution of gangs in El Salvador, MS, 18 Línea Sureña; 18 Línea Revolucionaria, Mirada Loca, Mao Mao y Maquina, 2012-2015.	October 5, 2015	7 years
Intelligence Subdirectorato and its agencies	Internal work documents from 2013, 2014, 2015, and 2016 created by the Intelligence Subdirectorato and its agencies.	July 12, 2016	7 years
Intelligence Subdirectorato	Internal work documents from 2013, 2014, 2015, and 2016 created by the Intelligence Subdirectorato and its agencies.	July 12, 2016	7 years
Personnel	Internal work documents from 2013, 2014, 2015, and 2016 created by the Intelligence Subdirectorato and its agencies.	July 12, 2016	7 years
Personnel	Internal work documents from 2013, 2014, 2015, and 2016 created by the Intelligence Subdirectorato and its agencies.	July 12, 2016	7 years
Personnel	Internal work documents from 2013, 2014, 2015, and 2016 created by the Intelligence Subdirectorato and its agencies.	July 12, 2016	7 years
Subdirectorato de Investigaciones	Norms and investigative procedures manual, Volumes I, II, and III.	July 15, 2016	7 years
Secretariat of Professional Responsibility	Norms and investigative procedures manual, Volumes I, II, and III.	July 15, 2016	7 years
Secretariat of Professional Responsibility	Norms and investigative procedures manual, Volumes I, II, and III.	July 15, 2016	7 years
Secretariat of Professional Responsibility	Norms and investigative procedures manual, Volumes I, II, and III.	July 15, 2016	7 years
Subdirectorato de Investigaciones	Norms and investigative procedures manual, Volumes I, II, and III.	July 15, 2016	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Subdirectorato de Investigaciones	Norms and investigative procedures manual, Volumes I, II, and III.	July 15, 2016	7 years
Personnel	Information files on the distribution and allocation of the weapons awarded to the National Civil Police.	July 28, 2016	7 years
Personnel	Payroll of National Civil Police Personnel.	July 28, 2016	7 years
Infrastructure Division	Construction/architectural plans of PNC property.	July 28, 2016	7 years
Personnel	Payroll of National Civil Police personnel.	July 28, 2016	7 years
Subdirectorato de Administration	Construction/architectural plans of PNC property.	July 28, 2016	7 years
Personnel	Information files on the distribution and allocation of the weapons awarded to the National Civil Police.	July 28, 2016	7 years
Personnel	Payroll of National Civil Police personnel.	July 28, 2016	7 years
Subdirectorato de Administration	Construction/architectural plans of PNC property.	July 28, 2016	7 years
Personnel	Information files on the distribution and allocation of the weapons awarded to the National Civil Police.	July 28, 2016	7 years
Personnel	Payroll of National Civil Police personnel.	July 28, 2016	7 years
Administration Subdirectorato	Construction/architectural plans of PNC property.	July 28, 2016	7 years
Personnel	Information files on the distribution and allocation of the weapons awarded to the PNC.	July 28, 2016.	7 years
Administration Subdirectorato	Information files on the distribution and allocation of the weapons awarded to the PNC.	July 28, 2016	7 years
Administration Subdirectorato	Payroll of National Civil Police personnel.	July 28, 2016	7 years
General Directorate	Tutorial on police uniforms and their distribution, allocation, manufacture, and use by PNC personnel.	September 1, 2016	7 years
Administration Subdirectorato	Rental of property related to victims and witnesses law.	September 1, 2016	7 years



Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Police personnel.	September 1, 2016	7 years
General Directorate	Tutorial on police uniforms and their distribution, allocation, manufacture, and use by PNC personnel.	September 1, 2016	7 years
General Directorate	Rental of property related to victims and witnesses law.	September 1, 2016	7 years
General Directorate	Police personnel.	September 1, 2016	7 years
General Directorate	Tutorial on police uniforms and their distribution, allocation, manufacture, and use by PNC personnel.	September 1, 2016	7 years
General Directorate	Rental of property related to victims and witnesses law.	September 1, 2016	7 years
General Directorate	Police personnel.	September 1, 2016	7 years
General Directorate	Tutorial on police uniforms and their distribution, allocation, manufacture, and use by PNC personnel.	September 1, 2016	7 years
General Directorate	Rental of property related to victims and witnesses law.	September 1, 2016	7 years
General Directorate	Police personnel.	September 1, 2016	7 years
Administration Subdirectorate	Construction/architectural plans of PNC property and payroll of the National Civil Police headquarters that house jail cells.	September 1, 2016	7 years
Administration Subdirectorate	Tutorial on police uniforms and their distribution, allocation, manufacture, and use by PNC personnel.	September 1, 2016	7 years
Administration Subdirectorate	Rental of property related to victims and witnesses law.	September 1, 2016	7 years
Administration Subdirectorate	Police personnel in branches, departments, units, and police stations.	September 1, 2016	7 years
Administration Subdirectorate	Construction/architectural plans of PNC property.	September 1, 2016	7 years
Administration Subdirectorate	Tutorial on police uniforms and their distribution, allocation, manufacture, and use by PNC personnel.	September 1, 2016	7 years
Administration Subdirectorate	Rental of property related to victims and witnesses law.	September 1, 2016	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Police personnel.	September 1, 2016	7 years
General Directorate	PNC databases.	September 5, 2016	5 years
General Directorate	Operational plans, operation orders, directives, and memos that were not implemented or are in implementation.	September 5, 2016	5 years
General Directorate	Internal oversight books and files of the PNC General Directorate.	September 5, 2016	5 years
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Investigative files.	September 5, 2016	Article 20 of LAIP establishes the period of reservation as the duration of the technical and legal investigation until its finalization either in public hearing or in criminal annulment. Likewise, art. 72 of the Law regulating drug-related activities establishes that during the initial investigation proceedings and due to the nature of the crimes that are to be investigated, the actions of the anti-narcotics division and the Attorney General's Office will be designated as reserved.
Administration Subdirectorate	Internal opinion polls within El Salvador's PNC.	September 5, 2016	The cases investigated by the Subdirectorate of Investigations are under the functional direction of the FGR, who is responsible for the investigative files until they reach the judicial phase.
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	PNC databases, as well as information related to the personnel of this police institution.	September 5, 2016	5 years
Administration Subdirectorate	Internal oversight books.	September 5, 2016	5 years
Administration Subdirectorate	Internal work documents from 2017.	September 5, 2016	5 years
General Directorate	Databases from El Salvador's National Civil Police.	September 5, 2016	5 years
General Directorate	Operational plans, operation orders, directives, and memos that were not implemented or are in implementation.	September 5, 2016	5 years
General Directorate	Internal oversight books and files from the PNC General Directorate.	September 5, 2016	5 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Investigative files.	September 5, 2016	The period of reservation is established as the duration of the technical and legal investigation until its completion either in public hearing or in criminal annulment. Likewise, Article 72 of the Law regulating drug-related activities, establishes that during the initial investigation proceedings and due to the nature of the crimes that it is compelled to investigate, the actions of the Anti-Narcotics Division and the Office of the Attorney General of The Republic will be designated as reserved.
Administration Subdirectorate	Agreement.	September 5, 2016	The cases investigated by the Subdirectorate of Investigations, are under the functional direction of the FGR, who is responsible for the investigative files until they reach the judicial phase.
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Agreement.	September 5, 2016	5 years
Administration Subdirectorate	Agreement.	September 5, 2016	5 years
Administration Subdirectorate	Internal work documents from 2017.	September 5, 2016	5 years
General Directorate	Databases from El Salvador's National Civil Police.	September 5, 2016	5 years
General Directorate	Operational plans, operation orders, directives, and memos that were not implemented or are in implementation.	September 5, 2016	5 years
General Directorate	Internal evaluation books and files, PNC General Directorate.	September 5, 2016	5 years
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Investigative files.	September 5, 2016	The period of reservation is established as the duration of the technical and legal investigation until its completion either in public hearing or in criminal annulment. Likewise, Article 72 of the Law regulating drug-related activities establishes that during the initial investigation proceedings and due to the nature of the crimes that it is compelled to investigate, the actions of the Anti-Narcotics Division and the Office of the Attorney General of The Republic will be designated as reserved.
Administration Subdirectorate	Agreement.	September 5, 2016	The cases investigated by the Subdirectorate of Investigations are under the functional direction of the FGR, who is responsible for the investigative files until they reach the judicial phase.

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Agreement.	September 5, 2016	5 years
Administration Subdirectorate	Agreement.	September 5, 2016	5 years
Administration Subdirectorate	Internal work documents from 2017.	September 5, 2016	5 years
General Directorate	Databases from El Salvador's National Civil Police.	September 5, 2016	5 years
General Directorate	Operational plans, operation orders, directives, and memos that were not implemented or are in implementation.	September 5, 2016	5 years
General Directorate	Internal regulatory books and files from the PNC General Directorate.	September 5, 2016	5 years
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Investigative files.	September 5, 2016	The period of reservation is established as the duration of the technical and legal investigation until its completion either in public hearing or in criminal annulment. Likewise, Article 72 of the Law regulating drug-related activities establishes that during the initial investigation proceedings and due to the nature of the crimes that it is compelled to investigate, the actions of the Anti-Narcotics Division and the Office of the Attorney General of The Republic will be designated as reserved.
Administration Subdirectorate	Agreement.	September 5, 2016	The cases investigated by the Subdirectorate of Investigations are under the functional direction of the FGR, who is responsible for the investigative files until they reach the judicial phase.
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Administration Subdirectorate	Agreement.	September 5, 2016	5 years
Administration Subdirectorate	Agreement.	September 5, 2016	5 years
Administration Subdirectorate	Agreement.	September 5, 2016	5 years
Administration Subdirectorate	Internal work documents from 2017.	September 5, 2016	5 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Personnel	Agreement PNC/DG/No. A-1009-09-2016 designates the following information to be reserved from this date forward, including all the National Civil Police databases, as well as information related to the personnel of said police institution involved in the production, collection, processing, analysis, and storage of the information that feeds into the databases.	September 5, 2016	5 years
Personnel	I. Be it declared as reserved information from this date forward, the operational plans, operation orders, directives, and memos not implemented or in implementation as approved by the National Civil Police of El Salvador, including those approved in 2014, 2015, and 2016, aimed against criminality and delinquency in general, as well as towards the prevention and suppression of crime, and the information contained in said documents; furthermore, be it declared as reserved the documentation that is produced, obtained, or processed in the National Civil Police of El Salvador, in reference to said operational plans, operation orders, directives, and memos not implemented or in implementation.	September 5, 2016	5 years
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Investigation Subdirectorate	Information related to investigations of various crimes, as well as the preparation of assessments conducted by the technical and scientific police divisions with their respective findings.	September 5, 2016	The period of reservation is established as the duration of the technical and legal investigation until its completion either in public hearing or in criminal annulment. Likewise, Article 72 of the Law regulating drug-related activities establishes that during the initial investigation proceedings and due to the nature of the crimes that it is compelled to investigate, the actions of the Anti-Narcotics Division and the Office of the Attorney General of The Republic will be designated as reserved.
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Personnel	Databases of the National Civil Police of El Salvador.	September 5, 2016	5 years
Personnel	Operational plans, operation orders, directives, and memos that were not implemented or are in implementation.	September 5, 2016	5 years
Personnel	Internal oversight books and files of the General Directorate of the PNC.	September 5, 2016	5 years
Personnel	Agreement PNC/DG/N° A-1008-09-2016 National Civil Police. Be it declared as reserved information from this date forward, the books and files of internal regulation of the various police units that form and report to the general directorate of this police institution and the information contained in said documents. In addition, be it declared as reserved the documentation that is produced, obtained, or processed in the National Civil Police of El Salvador, referring to said books and files of internal oversight.	September 6, 2016	5 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Investigation Subdirectorate	Investigative files.	September 5, 2016	The period of reservation is established as the duration of the technical and legal investigation until its completion either in public hearing or in criminal annulment. Likewise, Article 72 of the Law regulating drug-related activities establishes that during the initial investigation proceedings and due to the nature of the crimes that it is compelled to investigate, the actions of the Anti-Narcotics Division and the Office of the Attorney General of The Republic will be designated as reserved.
Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Institutional Acquisition and Procurement Unit	Information regarding direct procurement no.01/2019-pnc "renovation of technical format for the integrated center of intelligence technologies for crime control."	October 6, 2016	5 years
Institutional Acquisition and Procurement Unit	Agreement.	October 6, 2016	5 years
Administration Subdirectorate	Operational plans, operation orders, directives, and memos that were not implemented or in are in implementation.	October 10, 2016	5 years
Administration Subdirectorate	Agreement.	October 10, 2016	5 years
Administration Subdirectorate	Agreement.	October 10, 2016	5 years
Administration Subdirectorate	Agreement.	October 10, 2016	5 years
Administration Subdirectorate	Operational plans, operation orders, directives, and memorandum were not implemented or are in implementation.	October 10, 2016	5 years
Special Operations Subdirectorate	Supplies, installation, and implementation of a military-grade preventive security system for mobile communications for among high-level officials.	December 13, 2016	5 years
Special Operations Subdirectorate	Agreement.	December 13, 2016	5 years
Special Operations Subdirectorate	Agreement.	December 13, 2016	5 years
Special Operations Subdirectorate	Agreement.	December 13, 2016	5 years
Intelligence Subdirectorate	Operational plans, operation orders, directives, and memorandum were not implemented or are in implementation.	March 3, 2017	5 years
Institutional Acquisition and Procurement Unit	Information regarding direct procurement of no. 09/2019-PNC "renovation of technical format and licensing of the military-grade preventive security system for mobile communications for high-level officials."	March 3, 2017	5 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Intelligence Subdirectorate	Agreement.	March 3, 2017	5 years
Institutional Acquisition and Procurement Unit	Agreement.	March 3, 2017	5 years
Intelligence Subdirectorate	Agreement.	March 3, 2017	5 years
Intelligence Subdirectorate	Agreement.	March 3, 2017	5 years
Administration Subdirectorate	Documents related to the installation of an integrated center of intelligence technologies for crime control.	July 10, 2017	7 years
Administration Subdirectorate and its Human Talent Division	Documents related to the related procurement of the supply of weapons, munitions, bulletproof vests, drones, specific crime investigation equipment for police, tactical, and support teams.	July 10, 2017	5 years
Administration Subdirectorate	Agreement.	July 10, 2017	7 years
Administration Subdirectorate and its attached Human Talent Division	Agreement.	July 10, 2017	5 years
Administration Subdirectorate	Agreement.	July 10, 2017	7 years
Administration Subdirectorate and its attached Human Talent Division	Agreement.	July 10, 2017	5 years
Administration Subdirectorate	Agreement.	July 10, 2017	7 years
Administration Subdirectorate and its attached Human Talent Division	Agreement.	July 10, 2017	5 years
Administration Subdirectorate and its attached Human Talent Division	Documents related to the procurement of the supply of weapons, munitions, bulletproof vests, drones, specific crime investigation equipment for police, tactical, and support equipment.	July 10, 2017	5 years
Intelligence Subdirectorate and its agencies: department divisions and sections	Plans, strategies, and concrete actions for the prevention and suppression of crime.	July 13, 2017	5 years
Intelligence Subdirectorate and its agencies	Internal evaluation files.	July 13, 2017	5 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Investigation Subdirectorate	Manuals, tutorials, operational plans, operation orders, directives, memos, lists, and files that refer to the transport and use of weapons, munitions and police equipment.	July 13, 2017	5 years
Intelligence Subdirectorate and its agencies	The informative note is the drafting of a document that contains information compiled from various sources regarding the orientation of illicit events or activities. This information is not yet processed and contains the names and addresses of locations, victims, and perpetrators.	July 12, 2016	7 years
Administration Subdirectorate	Designate as reserved the information on the distribution and allocation of weaponry to the PNC.	July 28, 2016	7 years
Administration Subdirectorate	Payroll of PNC personnel.	July 28, 2016	7 years
Investigation Subdirectorate	Reports and files of investigative proceedings surrounding PNC personnel from 2008 to 2017.	July 13, 2017	6 years
Intelligence Subdirectorate and its agencies	Agreement.	July 13, 2017	5 years
Investigation Subdirectorate	Agreement.	July 13, 2017	5 years
Investigation Subdirectorate	Agreement.	July 13, 2017	6 years
Intelligence Subdirectorate and its agencies: department divisions and sections	Agreement.	July 13, 2017	5 years
Intelligence Subdirectorate and its agencies	Agreement.	July 13, 2017	5 years
Investigation Subdirectorate	Agreement.	July 13, 2017	5 years
Investigation Subdirectorate	Agreement.	July 13, 2017	6 years
Intelligence Subdirectorate and its agencies: department divisions and sections	Agreement.	July 13, 2017	5 years
Intelligence Subdirectorate and its agencies	Agreement.	July 13, 2017	5 years
Investigation Subdirectorate	Agreement.	July 13, 2017	5 years
Investigation Subdirectorate	Agreement.	July 13, 2017	6 years



<b>Institution / Unit</b>	<b>Thematic area of information</b>	<b>Date of reservation designation</b>	<b>Duration of designation</b>
Investigation Subdirectorate	Payroll of auxiliary and operational personnel that provide security services.	July 24, 2017	5 years
Investigation Subdirectorate	Agreement.	July 24, 2017	5 years
Investigation Subdirectorate	Agreement.	July 24, 2017	5 years
Investigation Subdirectorate	Agreement.	July 24, 2017	5 years
Investigation Subdirectorate	Directive for the implementation of police and administrative staff in the PNC, 2018-2027.	October 15, 2017	7 years
Investigation Subdirectorate	Agreement.	October 15, 2017	7 years
Investigation Subdirectorate	Agreement.	October 15, 2017	7 years
Investigation Subdirectorate	Agreement.	October 15, 2017	7 years
Investigation Subdirectorate	Documentation related to the contracting of the acquisition of the webint tactical intelligence solution.	October 16, 2017	5 years
Investigation Subdirectorate	Agreement.	October 16, 2017	5 years
Investigation Subdirectorate	Agreement.	October 16, 2017	5 years
Investigation Subdirectorate	Agreement.	October 16, 2017	5 years
Investigation Subdirectorate	Agreement.	October 16, 2017	5 years

## INFORMATION RESERVED BY THE MINISTRY OF JUSTICE AND PUBLIC SECURITY, ORDERED BY YEAR OF RESERVATION DESIGNATION (2014-2017)

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Human Resources Department	Personnel files.	October 8, 2014	7 years
Human Resources Department	Contracts for GOES/FAES personnel services.	October 8, 2014	7 years
General Directorate of Intermediate Centers	Security studies, plans, protocols, and reports.	October 8, 2014	7 years
General Directorate of Intermediate Centers	Logs of changes in the centers.	October 8, 2014	7 years
General Directorate of Intermediate Centers	Logs of shifts and positions of security, technical, and orientation personnel.	October 8, 2014	7 years
General Directorate of Intermediate Centers	Records, memoranda, and recorded minutes of investigative processes into illicit acts.	October 8, 2014	7 years
General Directorate of Intermediate Centers	Cash flow and accounting statements of institutional stores of intermediate centers.	October 8, 2014	7 years
ILEA-SS	Approval proceedings for the purchase of chemical or explosive material regulated by the Ministry of National Defense (correspondence).	October 9, 2014	7 years
ILEA-SS	Request for the loan of weapons for practical exercises.	October 9, 2014	7 years
ILEA-SS	Record or report of the joint committee session held.	October 9, 2014	7 years
ILEA-SS	Agreement with the PNC for the provision of facilities' security services.	October 9, 2014	7 years
ILEA-SS	Content of the courses taught at the ILEA.	October 9, 2014	7 years
ILEA-SS	Form for requesting an exemption order from customs and import.	October 9, 2014	7 years
ILEA-SS	Approval proceedings for the purchase of chemical or explosive material regulated by the Ministry of National Defense (correspondence).	October 9, 2014	7 years
Victims Support Directorate	Itineraries for the domestic and foreign missions of the Director of Victims Support.	October 9, 2014	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Victims Support Directorate	Plans prior to the implementation of the firearm ban.	October 9, 2014	7 years
Victims Support Directorate	Reports on pending international negotiations (SICA).	October 9, 2014	7 years
Victims Support Directorate	Telephone calls.	October 9, 2014	7 years
Victims Support Directorate	Pending legislative reform proposal for penal codification of human trafficking and related crimes.	October 9, 2014	7 years
Victims Support Directorate	Emails.	October 9, 2014	7 years
Victims Support Directorate	Geographic map of human trafficking crimes.	October 9, 2014	7 years
Victims Support Directorate	Information related to the national board of human trafficking.	October 9, 2014	7 years
IT and Technological Development Directorate	System Source Code.	October 9, 2014	7 years
IT and Technological Development Directorate	Diagram of the central technology platform.	October 9, 2014	7 years
IT and Technological Development Directorate	Diagram of data network.	October 9, 2014	7 years
IT and Technological Development Directorate	IP Addresses.	October 9, 2014	7 years
IT and Technological Development Directorate	Systems documentation.	October 9, 2014	7 years
IT and Technological Development Directorate	Systems documentation.	October 9, 2014	7 years
IT and Technological Development Directorate	Inventory of central technology platform software licenses.	October 9, 2014	7 years
IT and Technological Development Directorate	Report on telephone and mobile phone purchases, telephone directory, email directory, and the elements of IT and communications of the offices of the minister and vice minister.	October 9, 2014	7 years
Engineering Directorate	Technical files for bidding processes and documents of supervision / construction of projects related to penitentiary centers, intermediate centers, and infrastructure used for the offices of the MJSP and its agencies.	October 9, 2014	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Engineering Directorate	Topographical surveys and reports on vulnerable situations related to the infrastructure and systems in penitentiary centers, intermediate centers, and installations used by offices of the MJSP and its agencies.	October 9, 2014	7 years
Engineering Directorate	Ministry plans.	October 9, 2014	7 years
Logistics Directorate	MJSP discretionary vehicle insurance policies.	October 9, 2014	7 years
Legal Directorate	Agreement projects.	October 10, 2014	7 years
Legal Directorate	Internal resolutions.	October 10, 2014	7 years
Legal Directorate	Payroll of the members of the special high-level commission on motions for review.	October 10, 2014	7 years
Legal Directorate	Project proposals for legislative and executive decrees that are launched on initiative of the Secretary of State, as falls under its jurisdiction.	October 10, 2014	7 years
Legal Directorate	Maximum amount authorized for the institution for the acquisition of assets or of non-personnel purchases and services.	October 10, 2014	7 years
Legal Directorate	Draft documents for the holder's signature.	October 10, 2014	7 years
Legal Directorate	Draft decrees.	October 10, 2014	7 years
Legal Directorate	Draft agreements or instruments to be signed with national and international, government, and nongovernmental entities.	October 10, 2014	7 years
Legal Directorate	Vehicle fleet agreements for discretionary use.	October 10, 2014	7 years
Legal Directorate	Judicial and administrative writings.	October 10, 2014	7 years
Legal Directorate	Appeals resolutions of: security agencies, immigration procedures, imposition of fines.	October 10, 2014	7 years
Legal Directorate	International judicial cooperation documents.	October 10, 2014	7 years
Legal Directorate	Writings, demands, appeals, opposing arguments in administrative or judicial proceedings.	October 10, 2014	7 years
Legal Directorate	Judicial procedures required by other nations and vice versa.	October 10, 2014	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Office of the Minister	Internal and external correspondence that may contain policies or guidelines that affect public security, the security of the signatories, or MJSP staff.	December 17, 2015	7 years
Senior Ministry Office	Work agenda for the different events and activities that the Minister is required to attend.	December 17, 2015	7 years
Senior Ministry Office	Reports, proceedings, and presentations resulting from security cabinet meetings.	December 17, 2015	7 years
Senior Ministry Office	Acquisition of police equipment (vehicles, weaponry, ammunition, bulletproof vests).	December 17, 2015	7 years
National Antidrug Commission	Meeting minutes of the national anti-drug commission.	January 19, 2015	7 years
National Antidrug Commission	Deliberation or consultation process involved in the development of the documents that the DE-CNA remits, prepares, or publishes as a part of the obligations set out in international conventions and/or with international bodies.	January 19, 2015	7 years
National Antidrug Commission	Proposal for reforms of laws or regulations; development of normative bodies, manuals, plans, cooperative agreements, and memoranda of understanding, among others.	January 19, 2015	7 years
National Antidrug Commission	Deliberation or consultation process involved in the development of documents with national impact.	January 19, 2015	7 years
National Antidrug Commission	Documents that the DE-CNA remits, develops, and publishes, as a part of international conventions signed by the country and whose compliance is evaluated through various questionnaires and forms by organizations such as MEM/CICAD-OEA, HONLEA/UNODC, SMART/UNODC, CENAPI/MEXICO, JEFE/ONU, ARQ/UNODC, BIANNUALS/UNODC.	January 19, 2015	7 years
National Antidrug Commission	Deliberation or consultation process involved in the recording of CNA meeting minutes.	January 19, 2015	7 years
Transportation	Preventive and corrective maintenance of discretionary vehicles.	January 4, 2015	7 years
Gender Unit	Implementation of a pilot program: the national system of information and statistics on gender-based violence.	May 4, 2015	7 years
Internal Auditing Directorate	Auditing reports.	December 2015	7 years
Fuel Unit	Evaluation of distribution and monthly purchasing of vouchers on vehicles of discretionary use.	January 19, 2016	7 years
First Court of Appeals	Appeal incident.	January 20, 2016	7 years
Second Court of Appeals	Appeal incident.	January 1, 2016	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Legal Directorate	Ministerial agreements and resolutions, issued based on Legislative Decree No. 321, of April 1, 2016, in which the special temporary and extraordinary provisions were executed in prisons, penitentiary farms, intermediate centers, and temporary detention centers.	January 1, 2017	4 years
Office of the Vice Minister	Internal and external correspondence of the Vice Minister that may contain policies or guidelines that affect public security, the security of the signatories, or MJSP staff.	No date	No information
Office of the Vice Minister	Work agenda for private events.	No date	No information
Office of the Vice Minister	Information related to the cabinet of security and prevention.	No date	No information
Communications Directorate	Advertising expenses, classified by year, object of the contract; amount; company that was hired; terms of fulfillment and execution of the contract; type of contracting performed either free management, direct contracting, stock market or any other regulated by law; details of the award process and the content of the contracts.	No date	No information
Planning Directorate	Reprogramming of disbursements, loan from the Central American Bank for Economic Integration (BCIE) 2015.	No date	No information
Planning Directorate	Acquisition and contracting plans for BCIE loans 2015 projects.	No date	No information

## INFORMATION RESERVED BY THE ATTORNEY GENERAL OF THE REPUBLIC, ORDERED BY YEAR OF RESERVATION DESIGNATION (2014-2017)

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
The Criminal Enforcement Prosecution Units of all prosecutorial offices and special prosecutor offices	Investigation and training case files.	February 7, 2014	Until processing is finalized with a definitive sentence or a definitive acquittal.
Prison Supervision Unit	Case documents from those that have received sentences.	February 7, 2014	During the execution of the sentence, the proceedings will be reserved within the files within the period that a review appeal is being processed and any other incident that implies a change in status of the sentence.

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Accounting and Financial Crimes Unit	Trials for accounting.	February 7, 2014	Until processing is finalized with a definitive sentence, or there is an interlocutory, final judgment resolution. In both cases, until the deadline for filing an appeal has passed.
Accounting and Financial Crimes Unit	Trials for fines.	February 7, 2014	Until processing is finalized with a definitive sentence, or there is an interlocutory, final judgment resolution.
Unit of State Asset Oversight	Administrative files of the Unit of State Asset Oversight.	February 7, 2014	Until the processing of the file is completed, through the formalization of public instruments made available to the State and they are duly registered in the corresponding Registry.
Civil Unit	Civil trials.	February 7, 2014	Until processing is finalized with a final executed judgment, or there is an interlocutory, final judgment resolution.
Taxes Unit	Tax trials.	February 7, 2014	Until processing is finalized with a final executed judgment, or there is an interlocutory, final judgment resolution.
Acquisitions and Procurement Directorate	Records and processes of tenders and contracts.	February 7, 2014	From the beginning of the process, until the procurement contract is formalized or awarded and is considered final.
Office of the Attorney General of the Republic, the Assistant Attorney General, the Tax Auditor, the Secretary General, Directorates and Subdirectorates of the Defense of Society and State Interests, Special Units, and Advisors	International travel records authorized by the required entities and financed with public funds.	July 8, 2014 (date of modification for the basis of reserved designation; July 17, 2015)	During the period in which the aforementioned officials are traveling.
Directorates and Subdirectorates of the Defense of Society and State Interests, Prosecutors Offices, Special Prosecutor Units, and Prosecutorial Training School	Manuals, projects, writings, essays, protocols related to the criminal investigation or prosecution of criminal cases.	July 17, 2015	7 years

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Directorates and Subdirectorates of the Defense of Society and State Interests; Prosecutors' Offices; Special Prosecutor Units; Directorate of Management, Analysis, and Access to Information, Fiscal Information Analysis Unit; Technology Management	Computer systems and programs used for criminal investigation, criminal case analysis and information management from case files of different subjects.	July 17, 2015	7 years
Office of the Attorney General of the Republic, Assistant Attorney General, Directorates and Subdirectorates of the Defense of Society and State Interests, Prosecutors Offices, Special Prosecutor Units, and Advisors	Work plans, reports, projects, presentations, work notes, results of intelligence investigations and any other document, generated for or in work meetings, containing information on investigative activities, anti-crime and criminality efforts, and case analysis.	July 17, 2015	7 years
Directorate of Management, Analysis, and Access to Information	Cooperative agreements signed with other institutions for criminal investigations.	January 29, 2016	5 years
Fiscal Auditing Unit	Sanctioning administrative files.	January 29, 2016	7 years
All Institutional Units	Emails.	January 29, 2016	7 years
Office of the Attorney General of the Republic; the Assistant Attorney General; the Directorate of Management, Analysis, and Access to Information; Special Prosecutor Units, and International Legal Matters Unit.	Cooperative agreements, deals, and any other instrument of an international nature with the purpose of contributing to criminal investigations or the prosecution of criminal cases, signed with other international institutions, organizations, or entities.	January 29, 2016	7 years
Office of the Attorney General of the Republic, the Assistant Attorney General, the Directorates and Subdirectorates for the Defense of Society and State Interests, Prosecutors Offices, Special Prosecutors Units, and Advisors	Cases in international litigation, involving officials of the Attorney General's Office or other entities, organizations, law firms, etc. representing the State of El Salvador.	January 29, 2016	7 years
All the agencies of the Attorney General of the Republic	The name and other personal data of the public servants in the Attorney General's Office that identify them or make them identifiable.	January 29, 2016	7 years
All the agencies of the Attorney General of the Republic	The license plate numbers, engine numbers, chassis numbers, regulatory documents for motor vehicle and motorcycle assignments to officials and employees, assigned route regulations, official diligence guides, of motor vehicles and motorcycles of the Office of the Attorney General of the Republic vehicle fleet, for operational, general, administrative and discretionary use, as well as the detail of any security mechanism adopted in said motor vehicles for the protection of the members of the Institution.	May 4, 2016	7 years



Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Institutional Security Unit	Geographic coverage and distribution at the national level of institutional security personnel and private security guards, their service role, their licensing role, quantity and specifications of the assigned equipment, distribution of the assigned equipment, daily updates book, attendance book of the personnel of private security, Operational Safety Plans, Contingency Plans, Reaction Plans, and Supervisory Oversight Reports, as well as the detail of any security mechanism adopted for the protection of the members and users of the Institution.	March 21, 2017	7 years

## INFORMATION RESERVED BY THE SUPREME COURT OF JUSTICE, ORDERED BY YEAR OF RESERVATION DESIGNATION (2014-2017)

Institution / Unit	Thematic area of information	Date of reservation designation	Duration of designation
Entire Court	Judicial	September 1, 2015	7 years
Department of Judicial Investigation	Disciplinary-administrative	June 6, 2017	Until the corresponding authority authorizes and pronounces its definitive decision, according to law.
Integrity Division	Administrative	June 20, 2017	Until the Supreme Court of Justice dictates, pronounces, and affirms its definitive resolution while in session/ 7 years.
Directorate of Institutional Human Talent	Directorate of Institutional Human Talent	September 14, 2017	In each case, until the competent authority dictates, pronounces, and affirms its definitive resolution; that is, considering the nature of this type of process and its direct relationship with budgetary matters, considering the process and stages of the budget and budget management policies, the duration cannot be more than 2 years.
Professional Investigative Division	Disciplinary-administrative	June 7, 2018	In each case, until the competent authority dictates, pronounces, and affirms its definitive resolution. That is, considering the nature of this type of process and its direct relationship with disciplinary matters that may be permitted to be reserved beyond this timeline, and attending to the necessity to balance the obligation to guarantee access to public information with the honorable rights and representation of those under investigation, this period cannot be longer than 5 years.
Directorate of Security and Judicial Protection	Administrative	September 14, 2018	7 years
Entire Court	Administrative	December 11, 2018	In each case, until the Court pronounces its definitive decision. The period cannot exceed 7 years.
Directorate of Institutional Human Talent	Administrative	June 12, 2019	7 years

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<http://transparencia.pnc.gob.sv/>

Transparency portal of the Legislative Assembly  
<https://transparencia.asamblea.gob.sv/>

Transparency portal of the Office of the Prosecutor General of the Republic  
<http://portaldetransparencia.fgr.gob.sv/>

Transparency portal of the Supreme Court of Justice  
<http://www.transparencia.oj.gob.sv/es>

# NOTES

<sup>1</sup>A detailed list of indicators is available at <http://www.wola.org/cam>.

<sup>2</sup>Gustavo Emmerich. *Transparencia, rendición de cuentas, responsabilidad gubernamental y participación ciudadana*. Polis: investigación y análisis sociopolítico y psicosocial. 2004. Pgs. 67-70.

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<sup>3</sup>Manuel Villoria. *La transparencia como política pública en España: algunas reflexiones*. *Economía. Revista en Cultura de la Legalidad*. No. 7. Pgs.: 58-103. 2015. <https://e-revistas.uc3m.es/index.php/EUNOM/article/view/2234>

<sup>4</sup>Villoria. *La transparencia como política pública en España*.

<sup>5</sup>Santiago Díaz Cafferata. *El derecho de acceso a la información pública: situación actual y propuestas para una ley*. *Lecciones y Ensayos*. No. 86. Pgs.: 151-185. <http://www.derecho.uba.ar/publicaciones/lye/revistas/86/06-ensayo-diaz-cafferata.pdf>

<sup>6</sup>Díaz. *El derecho de acceso a la información pública*.

<sup>7</sup>Ulises Corona Ramírez. *Las reformas en materia de transparencia*. *El Cotidiano*. 2015. Pgs. 119-122. <http://www.redalyc.org/pdf/325/32536845014.pdf> Pgs. 119-122.

<sup>8</sup>Alejandro Ferreiro. *Dinero, política y transparencia: el imperativo democrático de combatir la corrupción*. Paper presented at the Ninth International Anti-Corruption Conference (IACC). Alejandro Ferreiro. [http://9iacc.org/papers/day1/ws3/dnld/d1ws3\\_aferreiro.pdf](http://9iacc.org/papers/day1/ws3/dnld/d1ws3_aferreiro.pdf)

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<sup>10</sup>Dada. *Transparencia y utilización de recursos públicos*.

<sup>11</sup>Executive Technical Unit of the Justice Sector (Unidad Técnica Ejecutiva del Sector de Justicia, UTE). *Law on Access to Public Information*. 2013. [http://www.ute.gob.sv/components/com\\_booklibrary/ebooks/LAIP%20OFICIAL.pdf](http://www.ute.gob.sv/components/com_booklibrary/ebooks/LAIP%20OFICIAL.pdf)

<sup>12</sup>Institute of Access to Public Information (IAIP) El Salvador. *Annual Report 2013-2014*. <https://transparencia.iaip.gob.sv/wp-content/uploads/2017/10/memoria-de-labores-2013-2014.pdf>

<sup>13</sup>The Executive Technical Unit is the institution responsible for providing technical, administrative and financial assistance to the Coordinating Commission of the Justice Sector in the management of policies, strategies, plans, programs, and projects in order to assist in the administration of justice. The joint venture is also the executing agency of all agreements and projects that the Commission formulates for the benefit of the sector. As an institution, it bases its action on the premises determined by the Organic Law of the Coordinating Commission of the Justice Sector and the Executive Technical Unit. More information at: <http://www.ute.gob.sv/index.php/institucion/marco-institucional/filosofia.html>

<sup>14</sup>UTE. *Law on Access to Public Information*

<sup>15</sup>The procedure for the election of commissioners begins with a

call for the election of lists of three candidates, in which each proposing entity chooses the candidates to be proposed and registered: the Ministry of Economy summons the business associations, the Ministry of the Interior summons the professional associations, the Communications Secretariat of the Presidency of the Republic summons the associations of journalists, and the Ministry of Labor and Social Welfare summons the unions. The lists are selected in a General Assembly in which each of the following sectors participate and vote: duly registered business associations; duly registered professional associations; the University of El Salvador together with authorized private universities; associations of duly registered journalists and trade unions authorized by the Ministry of Labor and Social Welfare. Finally, the president of the Republic elects, among the candidates of the proposed lists of three candidates, the proprietary and alternate members. For more information, see: *Regulation of the Law on Access to Public Information (RELAIP)*. Executive Decree No. 136. September 1, 2011. published in Official Gazette No. 163.

<sup>16</sup>IAIP. *Annual Report, 2013-2014*.

<sup>17</sup>Ferreiro. *Dinero, política y transparencia*.

<sup>18</sup>Data corresponding to the September 2019 portal update

<sup>19</sup>This transparency portal was the official one until August 2017, after which the information was hosted on a new portal.

<sup>20</sup>See: <http://www.transparencia.scal.gob.sv/ptf/es/PTF2-Gastos.html>

<sup>21</sup>For more information on these regulations, see the report of the Central American Monitor: "Fight against corruption in El Salvador" prepared by WOLA and Iudop (2019)

<sup>22</sup>Legislative Assembly of El Salvador. *Law of Probity*. Legislative Decree N° 225. Art. 5. 2015.

<sup>23</sup>Legislative Assembly of El Salvador. *Law of Probity*. Legislative Decree N° 225. Art. 11. 2015.

<sup>24</sup>Gabriel Labrador. *Instituto de Acceso establece que la información sobre el patrimonio de los funcionarios es pública*. July 27, 2015. [https://elfaro.net/es/201507/noticias/17215/Instituto-de-Acceso-establece-que-la-informaci%C3%B3n-sobre-el-patrimonio-de-los-funcionarios-es-p%C3%ABblica.htm?st-full\\_text=all&tpl=11](https://elfaro.net/es/201507/noticias/17215/Instituto-de-Acceso-establece-que-la-informaci%C3%B3n-sobre-el-patrimonio-de-los-funcionarios-es-p%C3%ABblica.htm?st-full_text=all&tpl=11)

<sup>25</sup>Labrador. *Instituto de Acceso establece que la información sobre el patrimonio de los funcionarios es pública*.

<sup>26</sup>Regional Alliance for Free Expression and Information. *Learn More: Regional report on challenges and restrictions on access to public information*. October 2, 2019. <https://transparenciacolombia.org.co/wp-content/uploads/saber-mas-x-final-final.pdf>

<sup>27</sup>Institute for Access to Public Information (IAIP). *Annual report 2014-2015*. <https://www.transparencia.gob.sv/instituciones/iaip/documents/memorias-de-labores>

<sup>28</sup>IAIP, Oversight Unit. *Report on the technical assistance project for the design of the active transparency control model and the decision-making model and sanction*

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<sup>29</sup>IAIP, Oversight Unit 2016.

<sup>30</sup>IAIP, Oversight Unit 2017.

<sup>31</sup>UTE, Law on Access to Public Information.

<sup>32</sup>UTE, Law on Access to Public Information.

<sup>33</sup>Executive Technical Unit of the Justice Sector (UTE). Law on Access to Public Information. Article 19. 2013. [http://www.ute.gob.sv/components/com\\_booklibrary/ebooks/LAIP%20OFICIAL.pdf](http://www.ute.gob.sv/components/com_booklibrary/ebooks/LAIP%20OFICIAL.pdf)

<sup>34</sup>Institute for Access to Public Information (IAIP). General guidelines for the classification, declassification and custody of confidential information. El Salvador. 2017. <https://participacion.iaip.gob.sv/normativa/102dbe4f-868d-4120-92af-e87483586e11>

<sup>35</sup>Villoria. La transparencia como política pública en España.

<sup>36</sup>Emmerich Transparencia, rendición de cuentas, responsabilidad gubernamental y participación ciudadana.

<sup>37</sup>See: [https://sgs.transparencia.gob.sv/information\\_requests/](https://sgs.transparencia.gob.sv/information_requests/)

<sup>38</sup>IAIP Annual report 2013-2014.

<sup>39</sup>IAIP Annual report 2013-2014.

<sup>40</sup>Regional Alliance for Free Expression and Information. Learn More: Regional report on challenges and restrictions on access to public information. October 2, 2019. <https://transparenciacolombia.org.co/wp-content/uploads/saber-mas-x-final-final.pdf>



## **ABOUT THE ORGANIZATIONS**

**THE UNIVERSITY INSTITUTE FOR PUBLIC OPINION (*Instituto Universitario de Opinión Pública, Iudop*)** is a research center based at the Universidad Centroamericana José Simeón Cañas (UCA) in El Salvador. In collaboration with other areas of the university, the Iudop seeks to systematically and scientifically monitor the social, political, economic, and cultural situation of the country.

**THE WASHINGTON OFFICE ON LATIN AMERICA (WOLA)** is a leading research and advocacy organization advancing human rights in the Americas. We envision a future where public policies protect human rights and recognize human dignity, and where justice overcomes violence.

## **ABOUT THE PROJECT**

The Central America Monitor is a subregional project that seeks to assess the level of progress being made by the countries of Guatemala, Honduras and El Salvador in the areas of strengthening the rule of law, reducing violence, combating corruption and organized crime, and protecting human rights through the use of a series of indicators. The project also monitors and analyzes international cooperation programs in the aforementioned areas.

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