

Translated from Spanish

Measures to eliminate international terrorism

Report of the Republic of El Salvador pursuant to General Assembly resolution 73/211

The Republic of El Salvador is submitting this report in pursuance of General Assembly resolution 73/211, by which the item entitled Measures to eliminate international terrorism was included in the provisional agenda of the seventy-fourth session of the General Assembly and under which all Member States have been asked to provide the Secretary-General with information concerning the status and implementation of existing multilateral, regional and bilateral agreements relating to international terrorism, including information on any incidents caused by international terrorism and any criminal prosecutions and sentencing.

Regarding this important topic, El Salvador has on many occasions expressed opposition to acts of terrorism and complete willingness to adopt any monitoring and international cooperation measures that may be necessary in order to ensure that such acts are prevented, investigated and prosecuted.

Accordingly, El Salvador is a party to most of the regional and international treaties on terrorism, including the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo Convention), which it ratified in 1979; the Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention), which it ratified in 1972; the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal Convention), which it ratified in 1979; the Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, which it ratified in 1980; the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, which it ratified in 2000; the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, which it ratified in 2000; the International Convention against the Taking of Hostages, which it ratified in 1980; and the International Civil Aviation Organization Convention on the Marking of Plastic Explosives for the Purpose of Detection, which it ratified in 1999.

Article 1 of the national special law against acts of terrorism provides a legal definition of terrorism, which includes three elements that the legislature considered necessary for an act to be considered an act of terrorism: (a) the means and methods used are capable of generating collective terror, (b) the objective is to damage or endanger personal or material legal rights and (c) the act has an impact on the democratic system, State security or international peace.

This legal instrument provides a basis for binding decisions by the competent national authorities to ensure that the various sectors of the population are protected against the systematic threats and imminent danger posed by this type of crime, while paying due regard to the importance of respecting the constitutional principles of due process and respect for human rights.

With regard to criminal prosecutions and sentencing, the Constitutional Chamber of the Supreme Court of Justice of El Salvador recognized in its judgment 6-2009 of 19 December 2012 concerning unconstitutionality that the establishment and maintenance of organized criminal groups entails a significant increase in danger to the legal rights of the population, and that combating such groups, primarily through the application of criminal law, is therefore justified. The objective of the Salvadoran criminal procedure is to protect the fundamental values agreed upon in the Constitution and to affirm the norms of society by ensuring that terrorist crimes are punished.

In that connection, the Office of the Attorney General which is responsible for, inter alia, investigating such crimes reports that 190 trials for terrorist crimes resulted in sentences in 2018. 179 of those cases concerned terrorist organizations (article 13 of the special law against acts of terrorism); 1 concerned terrorist acts committed with weapons, devices or explosive substances, chemical, biological 3(portnT12 0 (e)4(ria)5(l)-31(le)-7(g)A/F1 12 Tf1 0 0 1 375.91)-31(le)-7(g)A/F1 12 Tf1 0

