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Election Observation

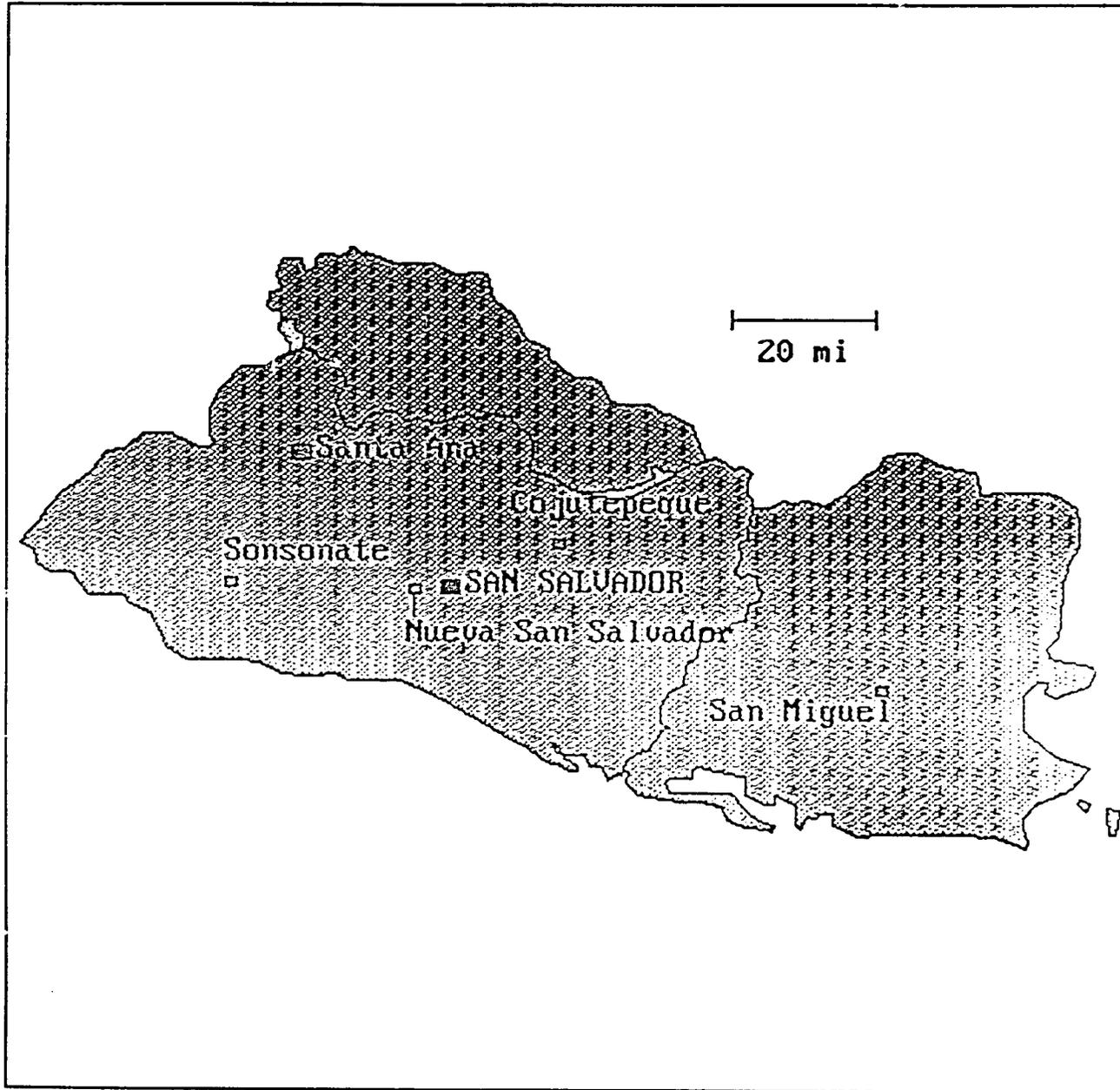
EL SALVADOR

March 20, 1994 - April 24, 1994

August 8, 1994

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EL SALVADOR

Population
5.4 Million

Area (sq mi)
8,124

City Population

- Over 1,000,000
- Over 500,000
- Over 100,000
- Under 100,000
- Capital

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I. EXECUTIVE SUMMARY

The International Foundation for Electoral Systems (IFES) organized two electoral observation missions to El Salvador for the March 20, 1994, general elections and the April 24, 1994, second round presidential run-off election. El Salvador has celebrated democratic elections in wartime conditions with international observation since 1982. In 1989, the country realized the first transfer of power from one elected civilian to another. Twelve years of civil war ended in January 1992 with the signing of the Chapultepec Peace Accords between the Government of El Salvador and the *Frente Farabundo Martí para la Liberación Nacional* (FMLN). The 1994 elections were the first elections held in peacetime conditions and with the full participation of parties across the political spectrum, making them the most representative elections in El Salvador's history.

The IFES electoral observation missions to El Salvador were financed by the United States Agency for International Development (USAID). However, IFES did not serve as an official United States government mission. USAID/San Salvador financed three United States based non-governmental organizations: IFES, Freedom House, and the International Republican Institute (IRI). Each organization fielded a series of pre-electoral and two observation missions. From the outset, the three groups carefully coordinated activities to provide full coverage of the electoral process. IFES focused on technical issues, Freedom House focused on human rights issues, and IRI focused on the political process.

The two IFES observer delegations (24 observers for the first round and 6 observers for the second round) included recognized experts in Latin American politics and election specialists from Latin America, North America and Europe. The observation missions were led by Ambassador Jack Hood Vaughn, former United States Peace Corps Director, former Ambassador to Panama and Colombia and former Assistant Secretary of State; and Mr. Richard Soudriette, Director of IFES.

The delegation for the general elections arrived in El Salvador on March 17, 1994, for two and one-half days of extensive briefings on Salvadoran politics and the electoral process. The terms of reference of the delegation were to observe whether the voting and counting processes were conducted in a free and fair fashion and in correspondence with the electoral code. Delegation members departed El Salvador on March 22, 1994. IFES maintained a staff presence in El Salvador through March 25, 1994.

The 24 observers to the first-round elections observed polling sites in rural and urban areas of 11 of El Salvador's 14 departments. The observation sites were chosen to cover the greatest number of voting centers, to cover voting centers in areas which had been identified to IFES as potentially problematic, and to cover voting centers in areas of the country which had been most

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affected by the civil war, known as the "former conflictive zones." These included the departments of Chalatenango, Cabañas, Usulután, San Vicente, Morazán and La Unión. IFES also sent observers to the departments of Sonsonate, Santa Ana, La Paz, and the capital San Salvador and its environs.

The IFES delegation found that the El Salvador voting process was conducted in an orderly, peaceful and transparent fashion which permitted the popular will of the Salvadoran people to be expressed. No acts of manipulation or violence, which would call into question the results of the elections, were observed by the IFES delegation. IFES observed voters and electoral officials from all parties working together in a cooperative and friendly fashion. The new national police (*Policía Nacional Civil*) conducted itself in a professional, discrete manner at the voting centers observed by IFES. However, during the first-round general elections, the IFES delegation did observe significant defects in the logistical organization of the elections along with problems with the electoral registry.

There was an over-concentration of voting stations (known as "JRVs" or "mesas" in El Salvador) at few voting centers (*centros de votación*), making it very difficult for citizens to locate (and access) their JRV and names on the electoral registry. The problem was particularly serious in the urban areas, especially San Salvador, La Unión, and San Miguel. For example, there were 280 voting stations in one place at the international fairground in San Salvador. There was also insufficient public transportation available, making it difficult for citizens to reach voting centers, which were frequently located far from their residences.

IFES delegates also observed citizens with voting documents (*carnet electorales*) who were unable to vote because their names were not on the electoral registry. The United Nations Electoral Observation Mission (ONUSAL) noted the same problem, citing 25,000 citizens with *carnets* who did not find their names on the electoral list at 3,000 voting centers. In general, IFES observed that many citizens, especially uneducated ones, had difficulties understanding the electoral registry and electoral process. While many party observers assisted voters in locating their names on the electoral registry, more orientation and assistance for voters was needed. IFES also observed some citizens who were unable to vote because others had used their names to vote earlier. ONUSAL determined that a small number of such cases existed.

IFES also observed that JRV officials, while responsible and cooperative in many instances, lacked sufficient training. The Tribunal was late in starting the training seminars even though technical assistance from the international community was offered early in the process. The parties contributed to the delay in training by failing to submit their lists of JRV officials on time. According to the president of the Tribunal, out of 16,000 JRV officials trained, only 5,000 ended up working on election day. The training manual (*instructivo*) was very good, but it also arrived shortly before election day.

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As a result of the problems listed above and the many citizens who chose not to exercise suffrage, participation in the first-round election was 1.5 million, or 55 percent of the 2.7 million voters on the electoral registry. An accurate accounting of participation levels is impossible because the electoral registry of 2.7 million includes an uncertain number of names of defunct citizens, citizens living abroad, and possible double registries. IFES notes that the lack of an solid electoral registry in El Salvador conditioned confidence in the electoral process.

None of the presidential candidates received a majority in the first round, with ARENA candidate Calderón Sol polling 49.03 percent, *La Coalición* candidate Rubén Zamora polling 24.90 percent, and the Christian Democrat candidate Félix Chávez Mena polling 16.36 percent. Consequently, a run-off election between the two top contenders was held on April 24, 1994. Calderón Sol received 813,966 votes or 68.32 percent of the vote and Rubén Zamora received 377,391 or 31.68 percent. 1.25 million voters participated in the second-round election.

The IFES observation mission to the second-round election consisted of 6 members, all observers of the first round elections. IFES maintained a presence in El Salvador April 20-27, 1994. IFES deployed three teams to San Salvador and environs (2 members), Cuscatlán and Chalatenango (2 members), and La Paz and San Vicente (2 members). IFES also coordinated with two other USAID-financed missions to provide coverage to most of the eastern part of El Salvador.

Improvements in the administration of the second-round election were adopted by the Supreme Electoral Tribunal, which made for a more organized and efficient process. The Tribunal decentralized JRVs in some voting centers and added 35 new voting centers, which was especially helpful in San Salvador. In some voting centers, the Tribunal posted maps to direct voters towards their respective JRVs. The electoral registry was usually posted in a more visible and accessible place for voters. The Tribunal also agreed to permit the two contending parties to field advisers (*orientadores*). These party advisers, usually young people, checked the registry and directed voters to their correct JRVs. This system greatly improved the fluidity and efficiency of the voting process.

For the second-round election, the JRV officials and two party observers (*vigilantes*) were designated by the FMLN and ARENA to provide coverage in an equal fashion. In most cases the two parties cooperated well together. Voting in general was much more efficient and quicker as there was only one ballot and one election. The United Nations Development Programme (UNDP) also donated some \$400,000 to the FMLN and ARENA for voter transportation.

The limitations presented by the electoral registry remained. The Electoral Code was revised to permit *carnet electorales* to be issued between the first and second round and an additional 15,000 voters were incorporated to the registry. During the second-round election, the IFES delegation again observed some citizens with *carnets* whose names were not on the electoral list.

The Tribunal plan that each JRV keep a list of the voters who were unable to vote because of problems with the electoral registry was generally not implemented.

The results of the presidential race were widely accepted. However, the FMLN and *Movimiento de Unidad* challenged the results of some legislative and municipal races to no avail. President-elect Calderón Sol and Rubén Zamora struck a verbal agreement to reform the electoral code and process in time for the 1996 legislative elections. All the political parties support the reforms, which include: 1) The introduction of a new unitary national identity and voting document (*Sistema de Identificación Ciudadano y Electoral - S.I.C.E.*); 2) A more professional and less politicized *Tribunal Supremo Electoral* (TSE.); 3) Proportional representation at the municipal level; and 4) Residential voting (i.e. disbursement of voting centers closer to voter's residence.)

II. ELECTORAL RESULTS

Salvadorans went to the polls on Sunday, March 20, 1994, to elect all their political authorities. A President and Vice President of the Republic, 84 deputies for the National Assembly, 262 mayors and municipal councils, and 20 deputies for the Central American Parliament were chosen during a rare coincidence of the country's electoral timetables.

Six parties and one coalition participated in the presidential and vice presidential race. A presidential candidate must have an absolute majority to win in the first round. ARENA polled 641,108 votes or 49.03 percent of the valid votes cast and *La Coalición* (CD-FMLN-MNR) received 325,582 votes or 24.90 percent. The Christian Democrats (PDC) received 214,277 or 16.36 percent of the vote. The *Partido de Conciliación Nacional* (PCN) received 31,502 or 2.41 percent of the vote. Three smaller parties received less than 4 percent of the remaining vote.

Since none of the presidential candidates received an absolute majority, a run-off between Armando Calderón Sol (ARENA) and Rubén Zamora (CD) was held April 24, 1994. Although parties may form new alliances for the purpose of the second round, none of the parties choose to do so formally for the April 24 election. Armando Calderón Sol won the second round presidential election with 813,966 votes or 68.32 percent of the votes cast and Rubén Zamora polled 377,391 or 31.68 percent. 1.25 million voters participated in the second round election.

Nine political parties participated in the Legislative Assembly election. The three political parties of *La Coalición* (MNR-CD-FMLN) ran on separate tickets. Of the 84 parliamentary seats, 20 deputies were elected on a national ticket, and 64 were elected on a proportional basis to represent the country's 14 departments. The 20 Central American Parliament members were chosen on a national slate on a proportional basis. In the Legislative Assembly, ARENA won 39 seats, the FMLN won 21 seats, the Christian Democrats won 18 seats, the PCN won 4 seats, the *Convergencia Democrática* won 1 seat, and *Movimiento de Unidad* (MU) won 1 seat.

In most municipal races, the parties ran on separate tickets. However, *La Coalición* fielded a unity candidate in San Salvador, and there were some coalition candidates, usually from the FMLN-CD, in the smaller towns. At the municipal level, the party which obtains a simple majority wins the mayoral seat and all town councils slots. ARENA won 206 mayoral races, the PDC won 29, the FMLN won 16, the PCN won 10, and the MAC won 1.

III. HISTORICAL BACKGROUND

The 1989 election of President Alfredo Cristiani Burkard marked the first successful transfer of power from one elected civilian to another in El Salvador's history. El Salvador has a long record of dictatorial governments, severe socio-economic inequalities, and human rights abuses. The decades following World War II saw recurrent cycles of political turmoil, limited reform and repression which precipitated a political explosion in 1979.

In the elections of 1972 and 1977, military-backed candidates were fraudulently declared the winners over the UNO (*Unión Nacional Opositora*), a coalition composed of the Christian Democrats and the leftist UDN and MNR parties. With the electoral path to change closed and repression and human rights abuses increasing, opposition political parties, unions and student groups became more radicalized. In 1979, a military coup occurred followed by the establishment of a series of military-civilian juntas. Concurrently, the guerrilla group *Frente Farabundo Martí para la Liberación Nacional* (FMLN) began military operations in full force.

In March 1982, elections were held to select members of a Constituent Assembly charged with writing a new Constitution (1983) and holding direct presidential elections (1984). 1.5 million votes were cast in the 1982 elections, in which voting was obligatory. Although these elections were marred by guerrilla sabotage, violence, suspicions of fraud, and administrative problems, the voter turn-out was the highest in El Salvadoran history. Alvaro Magaña was chosen by the Constituent Assembly to lead a "National Unity" interim government.

In March 1984, Christian Democrat candidate José Napoleón Duarte was elected President with 55.6 percent of the vote in the second round against former Major Roberto D'Aubusson of the rightist National Republican Alliance (ARENA) with 46.4 percent of the vote. 1.4 million votes and 1.5 million votes were cast in the first and second rounds respectively.

Legislative elections were held in 1985, in which the PDC won control of the Assembly, and in 1988, in which ARENA gained the majority. Participation in both elections fell to 1.1 million. These elections were also affected by violence, but a somewhat improved administration of the registration and voting process increased confidence in the voting results.

In March 1989, ARENA candidate Alfredo Cristiani was elected President with 53.8 percent of the vote in the first round. Fidel Chávez Mena of the Christian Democrats polled 36.5 percent of the vote, followed by Rafael Morán Castañeda of the *Partido de Conciliación Nacional* (PCN) with 4.0 percent, and Guillermo Ungo of the leftist *Convergencia Democrática* (CD) with 3.8 percent of the vote. The non-armed left's participation in the 1989 elections marked the beginning of more competitive elections.

During the 1980s, the FMLN and the leftist parties held that elections conducted in the context of widespread human rights abuses and political repression were undemocratic. Therefore, they boycotted and attempted to disrupt the elections by engaging the army in "firefights" and conducting acts of sabotage. This policy continued until the 1991 elections, which the FMLN did not attempt to disrupt.

By 1990 the Government of El Salvador and the FMLN were at a stalemate and both sides agreed to United Nations mediated negotiations. The war had cost the country \$2 billion, some 75,000 people had been killed, one-quarter of the population was displaced, and the FMLN had waged a successful 1989 offensive in the capital, during which security forces killed six well-known Jesuit priests. Both sides received strong international pressure in favor of a political settlement.

As part of the peace process, reforms were adopted which led to an opening of political space in time for the March 1991 legislative and municipal elections. While the FMLN did not endorse the elections, the guerrillas did not attempt to disrupt them either. The leftist parties of the *Convergencia Democrática* participated and won 12 percent of the vote nationally, 8 seats in the Legislative Assembly and placed second in the capital. The leftist *Unión Democrática Nacional* (UDN) won one seat. ARENA lost its legislative majority and the PDC gained more seats.

In the 1991 elections, out of a potential 3 million voters, 2.6 million registered to vote -- an increase of 18 percent over the 2.2 registered for the 1989 election -- but actual voter turn-out declined to 1.05 million. The elections were judged free and fair by international observers. Concerns were expressed about the registration process, delivery and credibility of voter documents, electoral registry, the organization of the voting, and manipulation of the count. After CD and UDN protests, the election in La Libertad was repeated because ballots in the original election lacked the CD and UDN symbols. Both the CD and UDN recognized the legitimacy of the overall election results.

The Chapultepec Peace Accords, signed in January 1992, were designed to address the root causes of the civil strife. The FMLN agreed to disarm within 10 months and the government pledged to cut the 60,000-member military by half and eliminate counterinsurgency units. The accords called for investigations and removal of military officers involved in human rights abuses, a program to reintegrate FMLN combatants and civilians into civilian life, FMLN participation in a national reconstruction program, and judicial and electoral reforms. The accords also mandated the establishment of a civilian-led national police force (*Policía Nacional Civil*) of mostly new recruits plus some former combatants from the FMLN and the Salvadoran Armed Forces.

The United Nations Observer Mission in El Salvador (ONUSAL) was established in July 1991

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to monitor the human rights situation. With the signing of the Peace Accords, ONUSAL's mandate expanded to monitor and assist in their full implementation, including the verification of the cease-fire and separation of forces. In September 1993 ONUSAL added an electoral component to its mission. The current ONUSAL mandate extends through November 31, 1994. ONUSAL remains concerned about progress in the areas of human rights, the establishment of the new police force, and reintegration programs for combatants.

At times both sides have failed to comply in a complete and timely fashion with the accords. The thorniest issues have been the reduction and purging of the security forces and human rights abuses on one side and the FMLN's complete demobilization and elimination of its arms caches.

IV. ELECTORAL FRAMEWORK

1. Electoral Law and Supreme Electoral Tribunal

The March 20, 1994, presidential, legislative, municipal, and Central American parliament elections were considered to be the centerpiece of the Chapultepec Peace Accords. They signified the FMLN's willingness to lay down their arms and work for change through the political process and the willingness of conservative groups to fully accept and respect the FMLN's political participation.

During the Peace Accords negotiations, a series of preliminary agreements were signed relating to constitutional and electoral reform, as well as other issues. Regarding electoral reform, the two sides committed to 1) substitute the *Consejo Central de Elecciones* for a pluralistic *Tribunal Supremo Electoral* with full authorities; 2) create the Special Electoral Subcommission within the *Comisión Nacional para la Consolidación de la Paz* (COPAZ) to develop a new electoral code to be submitted to the Legislative Assembly; 3) recognize the right of all legal political parties to oversee all aspects of the electoral process and the electoral registry; 4) the establishment of the FMLN as a political party with full rights and responsibilities; and 5) call for international observation of the 1994 elections.

Two new entities -- the "*Comisión Interpartidaria*" and COPAZ -- were developed to incorporate the political actors into the entire negotiating and implementation process. The "*Comisión*" consisted of all existing political parties. In September 1991, COPAZ was established to advise the Legislative Assembly on the implementing legislation of the Peace Accords. COPAZ includes representatives from the political parties, the FMLN and the Armed Forces of El Salvador. Its Special Electoral Subcommission (SCEE-COPAZ) consisted of representatives from all existing political parties.

The current electoral code is the result of consensus, first through the COPAZ drafting process, and in its ratification in January 1993 and subsequent modifications by the Legislative Assembly. Representatives of the FMLN and the *Convergencia Democrática* (CD) participated in COPAZ's drafting of the electoral code and the CD has been represented in the Legislative Assembly since 1988.

During the electoral process, the Legislative Assembly passed amendments to the electoral code which generally facilitated participation in the elections. However, the "flexibility" of the electoral code was questioned by some legal institutions and some members of the *Junta de Vigilancia*.

The modifications made to the electoral code included: extending the deadline by one month

until January 19, 1994, for the closing of the electoral registry in order to facilitate the delivery of *carnets electorales*; extension of the deadline by 12 days (from 19th to the 31st of January) for filing candidate lists for the Legislative Assembly and municipal races; prohibition of the publication of opinion polls or projections about results for 15 days before the elections and until the final results were declared by the TSE. Following the first-round election, the Assembly revised the electoral code to permit *carnet electorales* to be issued up to the second-round election. This modification permitted 15,000 voters to be incorporated into the registry.

The 1993 electoral code established the following entities: 1) *Tribunal Supremo Electoral*; 2) *Juntas Electorales Departamentales*; 3) *Juntas Electorales Municipales*; 4) *Juntas Receptoras de Votos* and 5) *Junta de Vigilancia*.

The *Tribunal Supremo Electoral* (TSE) is composed of five members. Four members were elected by the Legislative Assembly from lists provided by the four parties or coalitions which obtained the most votes in the last presidential election (1989.) The TSE president was elected by the Legislative Assembly from a list provided by the Supreme Court.

The current TSE members are: President Luís Arturo Zaldívar, Jaime Romero Ventura (ARENA), Eduardo Colindres (PDC), Pedro Ricardo Solórzano (CD) and José Rutilio Aguilera (PCN.) The next TSE will be composed of five magistrates, one from each of the three political parties receiving the largest share of votes in the 1994 election (ARENA, FMLN and PDC) plus two magistrates chosen by the Assembly from two slates of independents presented by the Supreme Court.

The TSE has full jurisdictional, administrative, and financial autonomy in all matters regarding the electoral process. Its responsibilities include the following: calling and organizing the elections; conducting the preliminary and final vote count; maintaining a current electoral registration; maintaining a current registration of inscribed political parties, coalitions, and candidates for political office; managing an electoral security plan in coordination with the national police; and managing the registration process and electoral registry.

The TSE staff at all levels are appointed by the magistrates and the four political parties represented in the TSE under a party quota or patronage system (*sistema de claves*). The electoral code dictates the following organization of the TSE: 1) *Secretaría General*; 2) *Gerencia Administrativa*; 3) *Gerencia Financiera*; 4) *Unidad de Procesamiento de Datos*; 5) *Auditoría Jurídica*; 6) *Asesoría Jurídica*; 7) *Unidad de Planificación*; 8) *Unidad de Capacitación Electoral*; 9) *Unidad del Proyecto Electoral*; and 10) *Registro Electoral*.

There are 14 *Juntas Electorales Departamentales* (JED) and 262 *Juntas Electorales Municipales* (JEM). The JED and the JEM each consist of at least three members, who are named by the TSE from lists provided by the legally inscribed parties and coalitions. All of the political

parties were represented in the departmental and municipal voting boards for the 1994 elections. A representative of the FMLN was chosen president in seven of the 14 *Juntas Electorales Departamentales*, with a PDC president in four departments, ARENA president in two departments and a MSN representative in one department.

The *Juntas Receptores de Votos (JRV or mesas)* or voting stations consist of three to five members appointed by the TSE from lists provided from the legally inscribed parties. There were 6,970 JRVs among 350 voting centers (*centros de votación*) for the March 20, 1994, general elections. Thirty JRVs were added for the second-round election.

The *Junta de Vigilancia* is an independent electoral entity charged with making sure that the function and activities of TSE are consistent with the electoral code. The Junta is composed of one member and an alternate from each of the legally inscribed political parties. The Junta is one of the innovations presented by COPAZ to the electoral code. The *Junta de Vigilancia* and the TSE have not had an easy relationship. The *Junta de Vigilancia* believes that the TSE has tried to maintain it on the margins of the electoral process.

2. Voter Registration and Voter Documents

The administration of El Salvador's elections and the integrity of the results have steadily improved since 1982. However, the *Tribunal Supremo Electoral* faced significant technical and operational difficulties for the 1994 elections. The main political and technical concern was the inclusion of all qualified citizens in the electoral registry through the provision of a *carnet electoral* and the updating and verification of the electoral registry.

The primary challenge for the *Tribunal Supremo Electoral*, Government of El Salvador, political parties and non-governmental organizations was to increase the overall registration levels and to incorporate FMLN combatants, refugees, displaced persons and the population from the ex-conflictive zones into civil society.

El Salvador lacks a civil registry, a reliable system for recording births and deaths, and a reliable national identity document. Local municipalities are responsible for manually registering births and deaths, and sending a copy of the birth/death certificate to the main *Tribunal Supremo Electoral* archives. There are several problems with this system. First, the individual citizen must report births and deaths to the municipality. Second, the municipality must forward the documents to the Tribunal on a timely basis. Frequently, neither take place. The 12-year war compounded an already existing problem when 40 municipal offices were destroyed and one-quarter of the population was displaced.

The former *Consejo Central de Elecciones* began to compile an electoral registry in 1985 in response to concerns about the lack of a reliable registry and voter identification document. The

Peace Accords called for the development of an improved and expanded electoral registry as the foundation for transparent, and inclusive elections. The Legislative Assembly subsequently reformed the Constitution and electoral code to require citizens to have a *carnet electoral* and be inscribed in the electoral registry in order to vote. The steps to obtain a *carnet electoral* are:

Step 1:

The citizen brings a national identification card, driver's license or two witnesses to a Tribunal office and fills out a one-page application form or "SIRE" (*Solicitud de Inscripción al Registro Electoral*.)

Step 2:

The SIRE is sent to the Tribunal headquarters in San Salvador. If the citizen's birth certificate is found in the Tribunal's archives, the application is approved, the name added to the electoral registry and the notification (*ficha*) returned to the office where the SIRE was originally presented. If no birth certificate is found, the application is rejected. The citizen must then request that the mayoral office where she/he was born send a copy of the birth certificate to the Tribunal. The citizen may provide a copy of her/his birth certificate, if she/he possesses one.

Step 3:

The citizen must keep returning to the local Tribunal office until her/his notification or *ficha* appears so that her/his picture can be taken and the *carnet electoral* can be issued.

Step 4:

The citizen must check the electoral registry, which is posted at the Tribunal or municipal center, to confirm that the name on the registry and *carnet electoral* are identical.

There were considerable delays, logistical and administrative problems in the entire registration process. In July 1993 a United Nations study estimated that some 700,000 eligible voters did not have a *carnet electoral*. With pressure and assistance from the international community, the Tribunal implemented a National Registration Plan to address these problems. The plan included a publicity campaign, mobile registration units, extension of the local Tribunal office hours, and an extension of the deadline for handing out the *carne*s. USAID and UNDP provided financial resources.

The Tribunal also began to work more closely with the United Nations High Commissioner for Refugees (UNHCR) and the Salvadoran Institute for Municipal Development (ISDEM)'s on-going "Documentation Project" to assist municipal officials to issue and copy basic documents, including birth certificates. ONUSAL and non-government organizations, with funding from UNDP and USAID, played an important role in assisting citizens to obtain basic documents and to register to vote.

In order to facilitate the registration process, the Legislative Assembly modified the electoral code by extending all the relevant deadlines. The Assembly also declared that citizens would be obligated to present a *carnet electoral* after April 1, 1994, in order to conduct any private or public business. From July 19, 1993, to November 19, 1993, 787,834 applications for *carnet electorales* were presented; 449,098 were new applications, while the rest represented modifications to existing *carnets*. (November 19 was the deadline to apply for a *carnet* for the March 20 election.)

The electoral registry closed on January 19, 1994, with 2.7 million citizens inscribed to vote. This figure represents 80 percent of the estimated eligible voters. 2.17 million, of the 2.7 million, corresponded to citizens holding existing *carnets*, while 482,066 corresponded to approved SIREs (*fichas*) eligible to be turned into *carnets* by March 12. As of February 25, 1994, the Tribunal still had 370,525 *fichas* eligible to be turned into *carnets*. Citizens with approved SIREs (*fichas*) but without a *carnet* were ineligible to vote. In addition, at the time of the first-round election, there were 79,418 SIREs which were not approved due to the lack of back-up documentation (i.e. birth certificates.) These citizens were not eligible to vote either.

Between the first and second-round elections, birth certificates for some 10,000 SIREs (out of 79,418 SIREs) were found, and 10,000 new eligible voters were incorporated into the electoral registry. In addition, 5,000 modifications to the electoral list were made at the request of voters. The TSE President stated that some 150,000 *fichas* had not been picked up by voters at the time of the second-round election.

Although the electoral registry includes 2.7 million names, the President of the Tribunal estimated that the effective list is 2.2 million voters. ONUSAL estimated that some 300,000 to 400,000 names on the list correspond to defunct citizens alone. The electoral registry also includes existing *fichas* and existing *carnets* of citizens living outside the country. The lack of a clean electoral registry prevented voter participation from being accurately determined and prevented the political parties from having total confidence in the electoral process.

3. Human Rights and Electoral Climate

The human rights climate in El Salvador has greatly improved since the signing of the Peace Accords. However, human rights abuses still occur and due process for the most part does not exist in El Salvador. There is a very high level of violence, particularly murder, robberies, assaults, and crimes against women and children.

In the period October 1993-February 1994, ONUSAL reported 43 "arbitrary executions." These included the murders of 15 political activists -- 9 prominent FMLN activists, 4 ARENA activists, and 1 MSN activist. Opposition parties and human rights groups were concerned that these murders might have been committed to intimidate potential FMLN voters and to mark the

resurgence of death squads. Conservative analysts believed the apparent political deaths were the product of the proliferation of common crime. In response, the Government of El Salvador and ONUSAL established an independent commission to investigate the existence of illegal armed groups and political violence.

According to opposition parties, human rights monitors and ONUSAL, the human rights situation did not inhibit political campaigning by any of the political parties, including the CD, FMLN and MNR. The opposition parties were able to hold public meetings and debates without interference and their political propaganda was found throughout the country before and after the elections. The majority of the political meetings held during the campaign took place in a peaceful fashion and only a few serious accidents occurred.

All political parties were able to place TV, radio and newspaper ads without minimal hindrance and all political parties received coverage in the print and broadcast media. ARENA consistently placed more advertising than the other parties, followed closely by the Christian Democrats. The FMLN-CD-MNR and other parties placed far less advertising than ARENA and the PDC. On television and in the newspapers, support for the incumbent party was obvious in coverage and reporting. The Government of El Salvador ran extensive public service-type ads extolling its accomplishments during the campaign. As a result, many opposition parties complained to ONUSAL and the Tribunal about the use of public funds to indirectly promote the governing ARENA party.

El Salvador has 5 daily newspapers, 8 television stations, and some 150 radio stations. The Government operates one radio and one television station. The FMLN operates two radio stations and several shortwave stations. The Catholic Church and Salvadoran Armed Forces also operate radio stations.

4. Political Parties and Conduct of the Campaign

At the time of the 1994 elections, there were nine legally inscribed political parties in El Salvador. Six parties and one coalition (consisting of three parties) competed in the presidential elections and nine parties competed in the legislative elections. In most municipal races, the parties ran on separate tickets, but in some towns there were coalition candidates, usually of the CD-FMLN coalition.

The principal contenders in the March 1994 presidential elections were the governing ARENA party and *La Coalición*, a coalition of leftist parties of the FMLN, *Convergencia Democrática* (CD), and *Movimiento Nacional Revolucionario* (MNR). Other smaller parties participated, including two new conservative evangelical parties, the *Movimiento Social Nacional* (MSN) and the *Movimiento de Unidad* (MU), and the *Movimiento Auténtico Cristiano* (MAC), a splinter party from the PDC, and the conservative *Partido de Conciliación Nacional* (PCN.)

Alianza Republicana Nacionalista (ARENA):

The governing party of President Alfredo Cristiani was founded in 1981 and enjoys a strong organizational and financial structure. ARENA has consistently garnered 400,000 to 500,000 votes since first participating in the 1982 elections. There are generally considered to be two wings in the party: the more moderate and forward-looking, pro-business wing associated with President Cristiani and the arch-conservative wing associated with party founder Roberto D'Aubuisson and the death squads. The 1994 presidential candidate was Armando Calderón Sol, a party founder who was twice elected mayor of San Salvador in 1988 and 1991. His vice presidential candidate was Enrique Borgo Bustamante. ARENA won the presidency, 39 legislative seats and 206 municipalities in 1994.

Convergencia Democrática (CD):

The CD was first established in 1989 as a coalition of three established leftist parties: the *Movimiento Popular Social Cristiano* (MPSC), *Partido Social Democrático Nacionalista* (PSDN) and the *Unión Democrática Nacionalista* (UDN.) Rubén Zamora Rivas, international relations professor and founder of the MPSC, polled 12 percent in 1989. In 1991 the three parties joined together to inscribe the CD as a political party. In the 1994 presidential elections, Rubén Zamora led a coalition ticket of the CD-FMLN-MNR, which polled 24.90 percent in the first round and 31.68 percent in the run-off election. The CD won one Assembly seat.

Frente "Farabundo Martí" para la Liberación Nacional (FMLN):

The FMLN, founded as a political party in 1992 from the five former guerrilla groups of the FMLN, participated in elections for the first time in 1994. The FMLN ran in coalition with the CD and MNR for the presidential race only. The FMLN won 21 legislative seats and 16 municipalities.

Partido Demócrata Cristiano (PDC):

The centrist PDC was founded in 1960. Christian Democrat José Napoleón Duarte was president of El Salvador from 1984-89. In 1994, its presidential candidate was Fidel Chávez Mena, former Foreign Minister under Duarte and presidential candidate in 1989. His vice presidential candidate was Atilio Vieytez. The PDC gained 18 legislative seats and 29 municipalities in the 1994 election.

Movimiento Nacional Revolucionario (MNR):

The MNR was formed in 1965 by Guillermo Manuel Ungo and others. It is a member of the Socialist International. In 1991, the MNR won 3 seats in the Assembly. In 1994, the MNR

participated in the presidential coalition with the CD and FMLN. Although the MNR did not win any legislative or municipal seats, it may retain legal status due to its participation in *La Coalición*.

Movimiento de Solidaridad Nacional (MSN):

The MSN is a new Christian-based party inscribed in 1993. Its presidential candidate was Edgardo Rodríguez Englehard and vice presidential candidate Roberto Rivas Iglesia. The MSN failed to secure enough votes in the 1994 elections to retain legal status.

Movimiento de Unidad (MU):

Movimiento de Unidad is an evangelist party founded in 1993. Its presidential candidate was Jorge Martínez Menéndez and the vice presidential candidate was Aristides Escobar Benítez. *Movimiento de Unidad* gained one seat in the 1994 Legislative Assembly.

Partido de Conciliación Nacional (PCN):

The PCN was founded in 1961 and for many years served as the official military party. In 1991, it received 9 seats in the Assembly. Its 1994 presidential candidate was Col. Roberto Escobar García and the vice presidential candidate was Roberto Marchesini. In 1994, the PCN won 4 legislative seats and 10 municipalities.

The campaign issues focused on recovery from the war, social and economic needs, reducing unemployment and improving the crime situation. The major candidates focused on these issues, each with a distinct approach and some with more concrete plans than others. There were definite ideological messages in the campaigns of the major candidates. The candidates themselves did not conduct negative campaigns. However, there was very negative advertising, especially between the first and second-round elections, in television, radio and print against the CD-MNR-FMLN coalition and against the FMLN by a private institution and anonymous advertisers.

The Presidential Candidates

Mr. Armando Calderón Sol	ARENA (Alianza Republicana Nacionalista)
Mr. Rubén Zamora	LA COALICION / MNR-CD-FMLN (Coalition of: Movimiento Nacional Revolucionario, Convergencia Democrática, Frente Farabundo Martí para la

	Liberación Nacional)
Mr. Fidel Chávez Mena	PDC (Partido Demócrata Cristiano)
Mr. Roberto Escobar García	PCN (Partido de Conciliación Nacional)
Mr. Edgardo Rodríguez	MSN (Movimiento de Solidaridad Nacional)
Mr. Jorge Martínez	MU (Movimiento de Unidad)
Mrs. Rina de Rey Prendes	MAC (Movimiento Auténtico Cristiano)

Note: The *Convergencia Democrática* was formed in 1989 by the MPSC (*Movimiento Popular Social Cristiano*), PSD (*Partido Social Democrática*), and the UDN (*Unión Democrática Nacionalista*.)

5. Voter Education and Participation

The Tribunal conducted a publicity campaign to promote the registration process and to promote voter participation in the first and second-round elections. For the second round, the Tribunal conducted a newspaper campaign to inform voters where to vote.

However, Salvadoran non-governmental organizations, with funding and technical support from the international community, took the lead in the registration process, and in the civic education and voter participation campaigns. In October 1993, the Texas-based Southwest Voters Research Institute (SVRI) launched an AID-financed civic education project called "CAMPAÑA SU VOTO '94." SVRI coordinated the project with 14 Salvadoran non-governmental organizations. It included a publicity campaign of radio spots and printed materials, such as posters, pamphlets, and flyers, designed to explain the registration and voting process and to mobilize voters to obtain their electoral *carpet*. In addition, representatives from the 14 non-governmental organizations working with SVRI were present during the registration process to assist voters. These non-governmental organizations were not able to be present throughout the country on election day due to the lack of funding.

6. International Assistance and Observation

The international community spent some \$20 million in support of the 1994 elections. The ONUSAL electoral mission, which cost \$7 million, began in September 1993 with some 40 officials and deployed some 950 observers for both the March 20 general elections and April 24

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run-off elections. ONUSAL conducted a "quick count" for both elections as well. ONUSAL deployed observers to political events and registration drives across the country, received and mediated complaints from the parties regarding the electoral process, and held weekly meetings among the political parties at the departmental level. In addition, ONUSAL sponsored joint meetings between the Tribunal, *Junta de Vigilancia*, party officials, UNDP and USAID to discuss electoral issues. ONUSAL also provided administrative support to the AID-financed ACNUR-ISDEM effort to gather and copy the birth certificates needed as background documentation for the *carnet electoral*.

The United Nations Development Programme's \$4 million electoral project primarily provided commodities (indelible ink, vehicles, computers, cameras) for the Tribunal and *Junta de Vigilancia* and transportation funds for the second-round election. Additional funds came from bilateral donors.

The U.S. Agency for International Development's \$4 million electoral package included \$1 million in technical assistance to the Tribunal through CAPEL (Center for Electoral Assistance and Promotion), \$600,000 in commodities for the Tribunal, more than \$1.6 million to local non-governmental organizations to promote civic education, voter registration and mobilization, and \$500,000 for four observation missions.

The Tribunal estimates that 3,000 observers were present for the first-round elections, including 950 ONUSAL observers, four U.S. AID-financed observer missions of some 100 observers, delegations from the region's Electoral Tribunals, and many private groups from the United States. Some 1,500 observers were present for the run-off election.

V. ELECTION DAY OBSERVATIONS

1. IFES General Observation Plan for Election Day

During the March 20, 1994, first-round general election, IFES deployed 10 teams to visit some 120 polling centers in 11 departments. Five teams spent the night in Chalatenango, Santa Ana and San Miguel on Saturday, March 19, in order to so be close to distant voting stations for the 7 a.m. poll openings.

The Santa Ana team (3 members) observed voting in the departments of Santa Ana and Ahuachapán, and returned to San Salvador Sunday night. The Chalatenango team (2 members) observed voting and counting in Chalatenango and also returned to San Salvador on Sunday night. The San Miguel teams were deployed to Usulután (2 members), La Unión (2 members) and Morazán (3 members.) The Usulután team observed the opening and closing of the voting in the city of San Miguel and observed the voting in Usulután during the day. The Morazán team observed the start of the vote and the entire count in Jocoro as well as polling in eight other polling sites in Morazán department during the day. The La Unión team observed the opening of the polls in the city of La Unión and the entire count in Santa Rosa de Lima, La Unión department.

Six teams spent the night in San Salvador and left very early Sunday morning to be present when voting commenced in the departments of San Vicente (3 members), Cabañas (2 members), La Paz (2 members), San Salvador and La Libertad (2 members) and San Salvador and environs (3 members.) Most teams stayed late in the field to observe part of the count as well. IFES Director Richard Soudriette and Gonzalo Brenes, former President of the Costa Rican Electoral Tribunal and delegation member, were invited by El Salvador's *Tribunal Supremo Electoral* to observe the reception and posting of electoral data.

During the second-round elections, IFES deployed three observer teams to San Salvador and environs (2 members), San Salvador and Chalatenango (2 members) and La Paz and San Vicente (2 members.) IFES coordinated with two other USAID-financed missions to provide coverage to most of the eastern part of the country.

2. General Conditions on Election Day and Opening

The March 20th general elections took place under very peaceful conditions. Although the lines were quite long and slow in many places, the voters did not become unruly except in a few places. The major political parties were well-represented as polling officials and poll watchers at the JRVs, and they generally worked together in a cooperative and friendly fashion.

Most of the polling stations observed by the IFES delegation did not open at 7 a.m. as scheduled, but frequently one hour or more later. Most stations opened late because of the late delivery of voting materials and the lack of organization of the voting centers. In some cases, JRV members arrived late or needed extra time to organize the *mesa*.

The April 24th second round run-off election also took place under peaceful conditions. The Tribunal improved the logistical administration of the voting, and voting was more efficient. The FMLN and ARENA were represented at the JRVs with both polling officials and poll watchers. With few exceptions, they worked together in a cooperative and friendly fashion.

3. Voting Station Kit Delivery and Set-up

The *Tribunal Supremo Electoral* forwarded the required materials to the *Juntas Electorales Municipales* (JEM) before election day. The required materials, forms, markers, ballot boxes, voting screens, lamps, rulers, etc. were packed into a single crate for easy delivery to the voting centers. However, logistics failed in some places and the materials or the tables and chairs for the JRV did not arrive on time during the first round election. IFES did not observe nor hear reports of materials arriving late for the second-round election.

During the first-round election, most voting center stations in the smaller towns were efficiently arranged to allow for a steady flow of voters. However, in urban centers, the voting center stations were too crowded and the JRVs too close together to allow for a steady flow of voters. Long lines, bottlenecks, confusion, and frustrated voters, who in some cases left without voting, were the result. In a large number of cases, the voting screen was poorly-positioned and there was little privacy for citizens to vote. This problem was not corrected for the second round. However, the lack of a truly secure voting booth did not seem to concern voters or electoral officials.

4. Voting Officials and Party Observers

The 1993 electoral law stipulates that each JRV is composed of three to five members appointed by the TSE from lists provided by the parties. The members elect, either by vote or raffle, a president, secretary and spokesperson (*vocal*.) Each party presenting a slate of candidates has the right to have an observer (*vigilante*) present to observe the vote.

During the first-round election, IFES observers found the JRV officials to be fairly competent and dedicated to fulfilling their important responsibilities on election day. The Tribunal produced an excellent manual (*instructivo*) for the JRV officials. However, the JRV officials did not appear to be well-trained. The political parties failed to submit lists for JRV officials to the Tribunal officials in a timely fashion. In addition, the President of the Tribunal estimated that out of 16,000 JRV officials trained by the Tribunal, only 5,000 actually ended up working on

election day. The major parties were represented at the JRVs, but JRV officials were mainly from the ARENA, PCN and PDC parties. At least 60 percent of the JRV officials were women.

Three to nine party observers (*vigilantes*) from all the major political parties were present at the JRVs as well. Some acted as passive on-lookers of the process, while others actively assisted illiterate and confused voters to locate their JRV and names on the electoral registry. Voters and party officials did not seem to have a problem with the *vigilantes* assuming this role. The political parties of ARENA, PDC, and *Movimiento de Unidad* were especially active in assisting voters.

During the second round, JRV officials representing the two contenders, ARENA and FMLN, were present at each JRV. The two parties and the Tribunal established a system to equally divide coverage by JRV officials at the 7,000 *mesas*. On the odd-numbered JRVs, an ARENA party member served as the president, while FMLN party members served as secretary and spokesperson (*vocal*.) On the even-numbered JRVs, the FMLN served as president, while ARENA members served as secretary and spokesperson. Each party could have two *vigilantes* at each JRV. IFES observed that this entire arrangement worked well.

In addition, the Tribunal agreed to allow both parties to field *orientadores* to assist voters to locate both their names on the registry and their JRV. The *orientadores* were an important contribution to a more successful election in the second round. The Tribunal was to have set-up information booths (*Tribunal kiosko*) with Tribunal staff to assist voters at the various polling centers; in most cases they failed to do so.

The JRV officials worked more efficiently during the second-round election, but the Tribunal again was unable to provide training to all the JRV officials. For example, the Tribunal reports that the FMLN refused to accept training for its JRV officials in La Unión department, and in Ahuachapán department, both the FMLN and ARENA refused to accept training.

5. Security Situation and the Police

The new PCN (*Policía Nacional Civil*) acquitted itself in a very professional and discrete manner on the election day for both rounds. According to the electoral code, the PCN is responsible for maintaining order and public security during the voting and counting process. In some locations, the PCN checked voters for arms (including small knives) at the entrance to the voting centers. IFES delegates did not see or hear reports of any armed civilians causing problems in the voting centers.

Farmers with machetes were close to the voting in some open air sites, but this did not appear to threaten the voters. The IFES delegation did observe members of the Salvadoran armed forces on guard and in movement on the main highways on the election days. IFES did not

observe the armed forces near the actual voting sites.

6. Voter Processing and Voting Procedures

One of the primary activities under observation on March 20 and April 24 was the processing of voters at polling stations. While the processing of voters proceeded peacefully and relatively efficiently at the rural voting centers, there were considerable delays in processing voters in the urban centers in the first round election.

Voting materials were delivered to the JRVs in a single packing box (*paquete electoral*.) In the first-round election, the *paquete electoral* included three colored ballots and three corresponding colored ballot boxes. In the second-round election, there was one ballot and one ballot box for the presidential race. For both rounds there were 400 ballots for each race.

According to the 1993 Electoral Code, the JRVs were to open at 6 a.m. in order to elect a president, secretary and spokesperson (*vocal*), set-up the voting table, ballot boxes, and post the electoral registry. The JRV officials were to sign the opening acts and proceed to cast their votes. At 7 a.m. they were to call the citizens to vote.

The citizen was to present his/her *carnet electoral* to the president of the JRV, who was to check its veracity and hand it to the secretary, who was to check it against the electoral registry. The secretary was to stamp the number of the JRV beside the voter's name on the electoral registry. The president was to sign and stamp three ballots corresponding to the three elections and cut the removable corner from each ballot. The corner was to be saved in a plastic bag. The president was to pass the ballots to the spokesperson, who was to pass the ballots and a crayon to the voter and indicate where the voting booth and ballot boxes were located.

In the voting booth, the citizen was to mark the symbol of the party or coalition of his/her choice and fold the ballot before depositing it in the colored-coded ballot box. The voter was to return the crayon and sign and place his/her thumbprint beside his/her name on the electoral registry. The final step was for the voter to dip his/her thumb into indelible ink and for the secretary to return his/her *carnet electoral*. According to IFES observers, the entire voting process took between 4-12 minutes.

Major bottlenecks were formed at the urban polling sites due to the placement of the JRVs. The Tribunal chose to concentrate the JRVs in a handful of sites rather than to disperse them among the population centers. For example, all the JRVs for San Miguel, El Salvador's second city, were concentrated among a main avenue of some six blocks. As a result, all of San Miguel's voters crowded into one area to vote. To compound the problem, in the first-round election, there were no resource people to assist voters to locate their JRV and the electoral registry was not readily accessible for voters to check. Long lines, confusion and frustrated voters were the

result. An uncertain number of voters simply gave up and went home without voting. This scenario was repeated in many places throughout El Salvador.

The second major problem was with citizens who possessed a *carnet electoral* but whose names were not on the electoral registry. IFES delegates saw citizens at each voting center it observed being turned away because their names were not on the electoral list. ONUSAL cites that 25,000 citizens with electoral *carnets* at 3,000 voting sites experienced problems with the electoral registry.

In addition, IFES delegates observed many uneducated and poorly educated people who could not locate their name on the electoral registry without assistance. This problem was eased in the second-round election with the introduction of party *orientadores* who assisted voters.

7. Ballot Design and Security

In the first-round election, there were three separate colored ballots and three ballot boxes for the three elections. (The Legislative Assembly and Central American Parliament elections were featured on the same ballot.) In the second-round election, there was one ballot and one ballot box for the run-off presidential election. The ballots showed only the party names and symbols. Only the presidential ballot was uniform across the country. Ballots for the legislative and municipal ballots depended upon the parties and coalitions running in the particular department and town. The ballots were numbered and signed by the JRV officials in the presence of the voter. Indelible ink purchased by UNDP from the De La Rue Company in London was used. IFES observed no problems with the design of the ballot and it appeared that the citizens were able to easily identify their party choice on the ballot.

Similarly, IFES did not observe problems with ballot security. According to ONUSAL, all the political parties and ONUSAL observed the printing of the ballots. ONUSAL did not receive evidence of ballots being printed before or after the election.

Following the vote, IFES delegates observed ballot boxes from various JRVs being moved to a center counting center, usually the municipal office, for counting. JRV officials and party vigilantes accompanied the transfer of the ballots to the municipal centers. ONUSAL observers were present. Tribunal officials and the PCN transferred the ballot boxes to San Salvador for the recount after the first election. IFES did not hear reports, from either the political parties or ONUSAL, that the ballot boxes had been tampered with during the transfer of the ballot boxes from the municipal level to the Tribunal in San Salvador.

8. Vote Counting

In most cases, vote counting began immediately after the close of the polls at 6 p.m. The counting process took place in an orderly and cooperative fashion, and in accordance with the electoral code, with few exceptions. The electoral code instructs the JRV officials to open all the ballot boxes at the same time and separate the three ballots, making sure that all the ballots are in the correct pile. However, most JRVs simply started counting the presidential ballots first. This did not cause major problems, as presidential ballots found in other ballot boxes were subsequently added into the presidential count. One municipality simply sent the ballot boxes to the Tribunal in San Salvador without counting the ballots or preparing the *actas*, indicating a total misunderstanding of the electoral code and their responsibilities.

The most controversial aspect of the counting process was the judging of null or voided votes. Most JRV officials tried to determine the voter's intent. If this was not clear, the JRV officials referred the cases to the JEM or JED officials. IFES observers remained to see the count and the transmission of results at the municipal level. IFES did not observe the tabulating and reporting of the results.

9. Tabulating and Reporting of the Results

The Tribunal organized a provisional count of the presidential vote and planned to announce its results within 72 hours of the closing of the polls at 6 p.m. In order to prepare a provisional count, the Tribunal designed a system to transport a copy of the tally sheets (*actas*) from each JRV directly to San Salvador by car and helicopter. The *actas* were processed at a special computer operations center established with assistance from CAPEL. Four trial runs were conducted on four successive Sundays before the March 20 elections, with the last two trial runs being 100 percent successful.

However, in practice, the provisional count system proved to be inadequate and was suspended on March 23 with 82 percent of the votes computed. (ONUSAL reports that the difference between its "quick count" and the Tribunal's provisional count was only 0.5 percent.) From March 23-28, a recount of the presidential vote was conducted. A recount of the legislative and municipal elections occurred as well. Both recounts were conducted in the presence of party vigilantes, Tribunal and ONUSAL observers.

For the second round election, the Tribunal and contending political parties -- ARENA and FMLN -- agreed that the final count for all 14 departments would occur in San Salvador. The ballot boxes were transported to San Salvador where the votes were counted by the officials from the *Junta Electoral Departamental* (JED), two representatives from ARENA and two representatives from *La Coalición*, an electoral auditor (*jiscal electoral*), and an executive coordinator from the Tribunal. ONUSAL observers were present.

10. Party Challenges to the Results

No party challenged the results of the presidential election in the first or second rounds. However, challenges were presented to the results in more than 40 municipalities. There is no appeal of the Tribunal's decisions.

The *Movimiento de Unidad Nacional* challenged the results of the election in six municipalities in Cuscutlán department (Cojutepeque, San Pedro Perulapán, San Rafael Cedros, Suchitoto, El Carmen, San José Guayabal) and in the municipality of Yamabal, Morazán department, after its party symbol did not appear on the municipal ballots. The *Movimiento de Unidad* requested these elections be repeated. The Tribunal denied *Unidad* its petition on the basis that *Unidad* had failed to meet the deadline for registering its candidates. *Unidad* did not accept the Tribunal's decision and termed the elections "fraudulent" before IFES and other international observer missions.

The FMLN requested that the elections in 37 municipalities be repeated due to irregularities in the electoral registry, late openings, vote buying and the lack of transportation. The Tribunal denied the FMLN's petition en masse, although the electoral code requires that each petition be reviewed and answered separately. The Tribunal contended that the FMLN challenges were political, rather than legal, in nature. ONUSAL had recommended to no avail that the Tribunal examine the FMLN's petitions in 10 municipalities.

ARENA challenged the results in Pachimalco, San Salvador department, and the Tribunal accepted ARENA's petition for a recount. In this case, ARENA had won the presidential and legislative races while losing the municipality race. Upon the recount, ARENA was found to have won the municipality as well. The Tribunal also discovered that 10-12 *actas* in Pachimalco had been signed with thumbprints, indicating that some JRV officials were illiterate.

While the Christian Democrats did not bring formal challenges to the electoral results, they were critical of the electoral registry and lack of transportation for voters. They also accused the Cristiani government of using government funds, vehicles and offices to promote ARENA candidates.

11. Post-Election Environment

The ARENA presidential victory came as little surprise to the FMLN and the Christian Democrats. However, both parties expressed surprise at the magnitude of the ARENA victories at the legislative and municipal levels. The FMLN had hoped to win 30-35 municipal races and 40 legislative seats, or double their actual showing. They attributed the outcome to ARENA's superior financial and organizational structures, their own inexperience as a political party, and structural flaws in the electoral process. While strongly criticizing the electoral process, both

the FMLN and Christian Democrats accepted the results of the elections.

The leftist opposition, including the FMLN, has repeated its commitment to respect the Peace Accords and to work for political change within the current system. The FMLN faces the challenge of maintaining unity and convincing its supporters to remain in the political game, even in the face of an overwhelming ARENA majority. At the same time, president-elect Calderón Sol has indicated his intention to fully comply with the Peace Accords, to gain the confidence of the leftist opposition so as to ensure governability, and to combat poverty and delinquency.

There is widespread agreement among all the political parties and the TSE magistrates that the electoral process needs to be reformed. Both Zamora and Calderón Sol have publicly discussed their "gentleman's agreement" to make certain changes in the electoral process before the 1996 legislative elections. (The FMLN and Christian Democrats are also on record in support of these reforms.) These broad reforms include: 1) A more professional TSE; 2) unitary identification and voting document, known as the SICE (*Sistema de Identificación Ciudadana y Electoral*), which would necessitate the establishment of a civil registry and new electoral registry; 3) residential voting; and 4) proportional representation in the municipalities.

The leftist opposition would like to see a non-political Tribunal with independent magistrates and a professional staff chosen on a competitive basis; the end of the "winner-takes-all" system in the municipalities and the introduction of a mayor and city council chosen on a proportional basis; the introduction of the "*voto domiciliario/voto residencial*" whereby citizens would vote close to where they live; and the introduction of the unitary identification and voting document (SICE.) Calderón Sol has stated his support for the unitary document (SICE), a non-political, professional Tribunal, and some formula for proportional representation at the municipal level.

VI. CONCLUSION AND RECOMMENDATIONS

IFES found the March 24, 1994, general elections and April 20, 1994, to be successful and encouraging in many ways. The Salvadoran people, government institutions, political parties and actors on all sides of the conflict acted with maturity and commitment to the democratic process and to the implementation of the Peace Accords. Notably, the electoral campaign took place in an auspicious human rights and political climate, which allowed the political parties and citizens to fully participate without fear of violent incidents. The right to organize, assembly, and freedom of expression were respected. The political parties were also represented at the various levels of electoral authority. The electoral registry was expanded to incorporate 80 percent of the electorate. Finally, the national police and security forces (and the former guerrillas) conducted themselves in an appropriate fashion.

IFES believes, despite important defects in the administration of the elections and with electoral registry, that the 1994 elections were transparent, reflected the popular will of the Salvadoran people, and served as an step forward in the process of national reconciliation and democratization in El Salvador. IFES is pleased to have had the opportunity to accompany the Salvadoran people in this process.

Nevertheless, IFES observed significant problems in the administration of the elections and offers the following suggestions for improvement of the electoral process in El Salvador:

1. Tribunal Supremo Electoral

The Tribunal has already received substantial financial and technical support from the international community, namely from ONUSAL and CAPEL (through USAID.) IFES urges the Tribunal and the political parties to take advantage of the lessons learned from the 1994 elections and the current consensus for reform to conduct a thorough evaluation and needs assessment of the Tribunal, electoral code, electoral registry, information management system, and the electoral process in general.

Ultimately, it is the responsibility of the Tribunal and the political parties to implement ONUSAL/CAPEL's recommendations. In the past, ONUSAL and CAPEL offered suggestions to the Tribunal regarding the electoral process which were not always heeded. We encourage the Tribunal to heed the support of their international colleagues for the reform of the electoral process. Specifically, IFES suggests:

- Institution Building

To ensure the efficient and transparent administration of elections, the Tribunal would benefit

from the introduction of independent magistrates and a permanent professional technical staff. Independent and permanent staff would offer more continuity and integrity to the administration of the elections and strengthen the Tribunal as a crucial democratic institution. The Tribunal needs to develop a medium and long term developmental plan as a basis for reform. Part of the developmental plan should include the strengthening of the Municipal and Departmental Tribunal offices and the development of an information management system to handle the demands of instituting a new unitary document and civil registry.

- Introduction of the Unitary Citizens Voting and Identification Document - (Sistema de Identificación Ciudadana y Electoral - SICE.)

The establishment of a new unitary document would require that all citizens register and obtain an entirely new identity and voting document. Although this process would be costly and time-consuming, it would automatically provide El Salvador with a solid civil registry and updated, clean electoral registry. It would imply changing the way the municipalities handle the registration of births and deaths, and the full incorporation of citizens affected by the war into civil society. Importantly, the establishment of a clean electoral registry would resolve a crucial doubt about the reliability and transparency of elections in El Salvador. The SICE would also aid the Tribunal in establishing voting for citizens near their residence.

- Election Preparation

For the legislative elections in 1996, the Tribunal needs to pay special attention to the establishment of a solid electoral registry, the simplification of the registration process, the selection and training of JRV officials, the distribution and lay-out of the voting centers and JRVs, free public transportation to the polls, and civic education. Many of the improvements made for the second round election should be used as a basis for more efficient voting center design in 1996. For example, the Tribunal should consider again using party *orientadores* to assist voters and Tribunal information booths and maps to guide voters to their JRV. In addition the Tribunal should develop a more reliable system for computing and disseminating extra official results.

2. Civic Education

- On-going Concentration in Civic Education

In general, IFES found that not enough emphasis was placed by the Tribunal, non-government organizations and political parties on civic education. There was some civic education by the Tribunal and non-governmental organizations to encourage citizens to obtain their *carnet electorales* and to vote, but it was inadequate for a country coming out of a civil war and without democratic traditions. Furthermore, this effort lacked full participation of the political

parties. IFES recommends a civic education campaign directed at informing citizens of their rights and responsibilities in a democracy and with practical recommendations about how citizens can participate in civil society and government at the local level. These programs must be designed to reach rural and urban populations and people of diverse educational backgrounds. Alternative communication approaches are needed to reach the poorly educated, and those without access to radio, TV and newspapers.

3. Political Parties

- Training programs

The political parties, which provide party poll watchers (*vigilantes*) and JRV officials (all provided by the political parties,) must take electoral training seriously in the 1996 elections. In 1994, the parties did not cooperate fully with the Tribunal in providing lists of JRV officials and in ensuring that their membership participated in the Tribunal's minimal training seminars. The newer parties were not fully aware of their responsibilities in the registration and voting process. For example, in the city of La Unión FMLN vigilantes left the counting when they saw that they were losing the election. The new political parties in El Salvador would benefit greatly from non-partisan technical assistance in institutional development.

4. International Observation

- El Salvador International Observation as Model

IFES found that the four AID-financed observer missions cooperated very well together in sharing information and arranging joint-briefing sessions with the Tribunal, non-governmental organizations, candidates, political parties, and the ONUSAL human rights and electoral divisions. In addition, four AID-financed observer missions informed each other of their deployment plans so that each delegation could accomplish its own specific goals, while complementing the work of the other missions. Similarly, all the observer groups, including ONUSAL and the private groups, were very open in sharing information and experiences gained in the field. IFES recommends that the level of cooperation among observers serve as a model for future observer missions in other countries.

APPENDIX I

INFORME DEL SISTEMA ELECTORAL

8 al 12 de febrero de 1994
Vicente Martín Santana

PADRON ELECTORAL Y CARNETIZACION

Al haberse cerrado el plazo de inscripción el pasado 19 de enero de 1994, el llamado padrón electoral consta de aproximadamente 2.7 millones de ciudadanos (2,638,734 personas), los que se encontraban con anterioridad al 5 de agosto de 1993 en el Registro Electoral (2,318,000 personas) y los de nueva inscripción que han recibido la validación al haber enviado sus Municipios las partidas de nacimiento correspondientes (320,734 personas).

Por otro lado existen un número de solicitudes de inscripción nuevas que hasta la fecha no se han podido validar, al no haberse recibido las certificaciones de nacimiento de sus titulares, y cuya evaluación está entre 60,000 y 70,000 según el TSE, alrededor de 72,000 según otras fuentes de información (PNUD y ONUSAL) y 80,557 según el FMLN., que además alega que mayoritariamente pertenecen a Municipios de su área de influencia donde más incidió la guerra y donde obviamente pudieron destruirse más registros municipales. Existe la posibilidad de que aquellas que puedan ser validadas pasen a incrementar el padrón electoral.

De los dos grupos anteriores, padrón electoral e inscripciones pendientes de validar, se han entregado los listados correspondientes a los partidos políticos.

El número de ciudadanos con carnet electores a la fecha que consta en la información en nuestro poder (24:00 horas del 19 de enero de 1994) asciende a 1,941,805. 659,003 obtuvieron su carnet entre julio del 93 y enero del 94 y 230,796 de ellos obtuvieron nueva inscripción. También se encontraban en los Municipios 696,929 tarjetas, de las que 238,302 corresponden a nuevas inscripciones, a la espera de que se presenten sus titulares para la fotografía y convertirse en carnets.

Con los datos anteriores quedaban pendientes de imprimir 111,903 tarjetas, que podrían incrementarse si se validan algunas inscripciones pendientes y se solicitan modificaciones por errores al haberse expuesto públicamente en los Municipios los padrones electorales.

Según algunas fuentes, han aparecido 10,000 inscripciones que se habían perdido en el computador al parecer por una deficiente operativa de los procesos de salvaguardia (back-up's y restore). La precariedad de los recursos humanos, por las cuotas partidarias de los funcionarios técnicos del TSE, y materiales, computadoras con una obsolescencia tecnológica importante, es un factor preocupante que no se puede abordar dada la cercanía del proceso electoral

Hemos analizado el documento denominado, "Propuesta de estrategia para el desarrollo de la fase 3 en el periodo de enero a marzo de 1994", y contempla todas las recomendaciones teóricas que se podían realizar por nuestra parte, solamente se necesita ponerlo en práctica y

hacer un seguimiento del mismo.

Solamente nos queda añadir el retraso que se está produciendo en la incorporación de certificados de nacimiento de algunos municipios incluidos los que se recuperaron por medio de fotocopias a través de un esfuerzo importante de ONUSAL.

La campaña de motivación pendiente por parte del TSE y la participación de los partidos de forma más activa, una vez que han terminado la fase de documentar a sus candidatos, esperemos que aumente el ritmo de retirada de carnets por la ciudadanía, que sólo era de 4,732 por día en enero.

ESCRUTINIO ELECTORAL PROVISIONAL

El Centro de Cómputo del TSE mantiene la infraestructura tradicional que tenía (computador WANG VS-600, incorporando otro computador WANG VS-700 en abril de 1993) según fuentes externas al mismo ya que sus responsables se encontraban estos días en un seminario en Santa Cruz de la Sierra, Bolivia.

La calidad de las líneas telefónicas en El Salvador, según hemos podido comprobar como usuario de los servicios de voz, no es muy óptima y habrá que hacer un seguimiento de las pruebas del sistema si se utiliza telefonía vocal, fax o circuitos de transmisión de datos para hacer llegar los resultados al computador del TSE.

Al parecer, según fuentes de ONUSAL, tienen previsto utilizar medios de transporte terrestre y aéreo (helicópteros) para hacer llegar las actas a la sede del computador del TSE.

Se desconoce el diseño del sistema de escrutinio en el computador, por lo que no podemos emitir opinión sobre el mismo.

Debemos señalar la preocupación que nos produce la capacitación de los miembros de las Juntas Receptoras de Votos, cinco titulares y cinco suplentes en cada una, que alcanzan un universo de 78,000 personas teniendo en cuenta que existirán aproximadamente 7,800 Juntas Receptoras de Votos. Dicha capacitación debe realizarse en un plazo inferior a 35 días, última modificación de fecha conocida para que los partidos entreguen sus listas de personas que designan, por lo que debería diseñarse un plan de formación o capacitación riguroso, con estructura piramidal, y dada la escasez de recursos de instructores del TSE (hablan de 56 instructores) se debería contar con los propios partidos y con las ONGs y sus voluntarios.

APPENDIX II

SEGUNDA MISION DE IFES A EL SALVADOR

22 al 26 de febrero de 1994
Gonzalo Brenes y Kelly McBride

Nos permitimos presentar nuestro informe referido a la misión a El Salvador haciendo una breve relación de nuestras entrevistas, las cuales se iniciaron en el Tribunal Supremo Electoral el día 22 de febrero. Desde ahora debemos agradecer las facilidades que nos brindaron los señores Magistrados y todos los profesionales a quienes fuimos solicitando información.

TRIBUNAL SUPREMO ELECTORAL

Para dar inicio a nuestra misión se solicitó audiencia al Tribunal Supremo Electoral (TSE), el que se sirvió recibirnos en pleno, o sea con la asistencia de los Magistrados Luis Arturo Zaldívar, Presidente, José Rutilio Aguilera, Pedro Solórzano, Jaime Romero y Eduardo Colindres. La información que se nos suministró fue amplia, comprensiva y de muy variados aspectos, dentro de los cuales cabe destacar la exposición del señor Presidente, de tipo general, y luego una amplia y detallada por parte del Ing. Aguilera. Este expuso que el Decreto 205 que se refiere a las facilidades para "asentar" ciudadanos que no tenían su documento de nacimiento no tuvo gran impacto en las zonas conflictivas pues no fueron sino unas veinticinco mil personas las que se inscribieron. También se refirió a las setenta y nueve mil cuatrocientos dieciocho solicitudes que a la fecha están siendo cuestionadas por no tener respaldo en partida de nacimiento, y que en algunos círculos se estima que se refieren a zonas concretas, a las conflictivas, y que este acierto no es real. Que por el contrario, están preparando un documento para demostrar que la incidencia no está concentrada en ninguna zona en especial. En el informe se reflejará la situación en todo el país. El pleno del Tribunal estuvo de acuerdo en ofrecernos dicho documento que en esos momentos elaboraba el Centro de Cómputo. Llegó a tal grado la gentileza de los integrantes del Tribunal que mas tarde se nos entregó simultáneamente a los integrantes del Tribunal y a IFES, lo ofrecido. Por otra parte a una pregunta concreta en el sentido de si todos los integrantes aceptaban como correcta la explicación que se nos dió, la respuesta fue en sentido positivo y unánime. Se nos dijo, además, que esa suma representaba un porcentaje muy bajo del padrón electoral.

Con relación a los problemas que se presentaron en las elecciones de 1991 con personas que no pudieron emitir el voto por distintas circunstancias, pero principalmente por la falta de coincidencia de sus datos en el padrón electoral y el documento electoral, dijo que en octubre del año pasado la firma costarricense UNIMER contratada por Capel realizó una encuesta en todo el país y el resultado fue que apenas un uno por ciento del universo consultado manifestó la imposibilidad de votar en aquella oportunidad. No obstante, el Tribunal continuó con proyectos para evitar que se vuelva a repetir esta situación.

Finalmente, comprendiendo que no se debía abusar del tiempo dedicado por el Pleno se solicitó que nos permitieran tratar los temas que podrían ser de interés con personal de alto nivel, a lo cual accedieron los señores Magistrados. De inmediato el señor Presidente se

comunicó con el Centro de Cómputo y el mismo nos llevó y presentó en la oficina. También se dispuso que el arquitecto Pedro Angel, Jefe del Proyecto Electoral, nos atendiera.

CENTRO DE COMPUTO

En este Departamento fuimos atendidos en una forma abierta y franca por los señores Lic. Jorge Valle e Ing. Carlos Rodríguez, participando por poco lapso el señor Juan José Interiano. Algunos de los integrantes del grupo nos explicaron aspectos importantes para comprender parte de los problemas que se presentan con nombres y apellidos que deben corregirse o bien que no aparecen, aparentemente, en forma correcta en el padrón electoral. También este aspecto tiene incidencia en la formación del Registro Electoral y en el número del carnet electoral.

Se nos explicó que una gran cantidad de personas nacen de parejas que conviven, o sea, que no han contraído matrimonio. Ese porcentaje se nos dió informalmente como de un sesenta por ciento lo que produce relaciones interesadas en la formación de los apellidos de los ciudadanos pues es costumbre utilizar en estos casos como primer apellido el de la madre y como segundo apellido el del padre, al contrario de los hijos nacidos dentro de matrimonio que usan como primer apellido el del padre y de segundo el de la madre. La primera situación apuntada produce dificultades para localizar a las personas en las Alcaldías.

Otro aspecto importante es la falta de interés de un porcentaje considerable de la población para declarar los nacimientos, el que se estima en aproximadamente un trece por ciento; un mayor porcentaje de sub registro se da con las defunciones. Cabe agregar que la búsqueda en ambos casos se realiza a base de los datos que se suministren con los apellidos de la madre, o con los del padre y la madre, según el caso.

REGISTRO ELECTORAL

No es sino a partir del año 1985 que se inicia la formación de este Registro ante la no credibilidad de la cédula de identidad personal. Entre los años 1985 y 1986 se capturaron más de seis millones de partidas de nacimiento, las que se microfilmaron y luego los datos fueron ingresados al computador central. En ese proceso se pusieron en evidencia dos aspectos: 1) no hay una metodología estandar en las Municipalidades para manejar las certificaciones de nacimientos y defunciones; y 2) muchos ciudadanos no tenían su partida de nacimiento dado que históricamente hay subregistros de nacimiento y que en poblados pequeños, donde no hay una Alcaldía, se dificulta a las personas realizar los trámites. Para dar facilidades a esta gente, en aquella época el Consejo tomó la decisión de incorporar a los ciudadanos de los pueblos de diez mil o menos habitantes, sin cédula.

Parte importante de la información que se nos suministró consistió en cómo se forma el número del carnet electoral pues esto tiene incidencia en algunos casos con problemas que se detectan de falta de coincidencia entre este documento y el padrón electoral, como se verá más adelante.

Ese número está formado en el siguiente orden: Primeros dos dígitos corresponden al

Departamento de nacimiento del ciudadano. Segundos dos dígitos al Municipio, los siguientes dos al año de nacimiento, los otros dos al mes, los dos próximos al día y los siguientes cuatro son un correlativo. Ahora bien, se nos explica que los ciudadanos no tienen límite para hacer solicitudes de carnet electoral y que cuando hay una corrección en alguno de los grupos de dígitos por variación, por ejemplo, de fecha de nacimiento, en el padrón electoral aparecerá dicha corrección, pero nada impide que el ciudadano, de hecho, siga utilizando el documento anterior, en el cual no constan los nuevos datos, lo que puede dar lugar, aparentemente, a una falta de coincidencia entre los números que genera un mismo archivo. Igual problema puede ocurrir con cambios de nombres o apellidos de los interesados. Los funcionarios entrevistados fueron muy claros en el sentido de que un mismo archivo no puede generar datos diferentes y que hasta la fecha no habían recibido quejas de este tipo.

Con relación a la posible existencia en el padrón electoral de ciudadanos que han fallecido, se nos expuso que existe un porcentaje alto de personas que han sido sepultadas sin que se conozcan su datos personales o su relación familiar. Esto último resulta importante porque Cómputo trabaja a base de la relación de informes de nombres y apellidos del ciudadano y su referencia a datos completos de padre y madre. Otro aspecto relacionado con el tema es el estado de guerra que vivieron durante tantos años, y finalmente otra de las causas importantes es la falta de comunicación entre las Alcaldías. De acuerdo con el sistema imperante la inscripción de nacimiento se practica en el lugar en que ocurrió este y lo mismo ocurre en cuanto a la defunción, pero si no coinciden ambos lugares la realidad es que la Alcaldía en que se inscribe el fallecimiento no comunica a aquella en que consta la inscripción del nacimiento para que proceda a efectuar la cancelación. De aquí surgen también casos que producen críticas al sistema. Muchos de estos aspectos, se nos dice, fueron contemplados desde el informe de la misión de la ONU de 1992 (punto 24 y sugerencias, numeral b).

Otro aspecto importante es el referido a los pasos que se han dado con el padrón electoral. En este listado aparecen los ciudadanos inscritos independientemente de que tengan ficha o carnet. Por otra parte el cierre del padrón debió ser el 19 de diciembre de 1993, pero por ley se amplió al 19 de enero del año en curso, en consecuencia la recepción de partidas de nacimiento se cerró en esa fecha lo mismo que de las solicitudes (SIRE). Dentro del sistema de trabajo el 2 de febrero se hizo un corte. El 20 de febrero se destaca como una fecha importante pues fue la data en que se hizo entrega del padrón electoral parcial y el total a los partidos políticos, con lo cual esta fecha es prácticamente la del cierre de ese padrón, el cual será inalterable a partir de ese momento. Después de esa fecha únicamente se admiten reposiciones de carnet y para la entrega del documento se ha señalado como fecha límite el 12 de ese mismo mes (ver artículo 48 del Código Electoral). Para el 28 de febrero esperan tener impreso el padrón definitivo. Vale explicar que este está formado por los ciudadanos que solicitaron el documento dentro del plazo aún cuando no lo llegue a retirar.

ACCIONES PARA DEPURAR EL REGISTRO ELECTORAL.

Unas 333,974 fichas estaban en el campo correspondientes al periodo 1985-1990 (las fichas son el paso intermedio entre la solicitud de carnet y la entrega de éste), las cuales se eliminaron y esos ciudadanos fueron excluidos del Registro Electoral como consecuencia de la aplicación del Decreto 730, que dice que las fichas con más de un año y que no se retiren, se

destruyen y el ciudadano es excluido del Registro Electoral. Este último aspecto no se ha aplicado a la fecha por atrasos de casi veinte meses que tenía el Registro en la ejecución de operaciones en computo. Como dato importante se nos dijo que entre diciembre 92 y enero 93 se aplicaron 20,000 movimientos. Otra forma de depuración que se utilizó fue la impresión del padrón electoral en febrero y marzo de 1993 y su exhibición con propaganda y publicidad para que se acudiera a verificar las inscripciones.

También se recurrió a la búsqueda de dobles inscripciones como forma de depuración, trabajo que se inició en julio de 1993 y terminó en septiembre de ese mismo año. Aquí se encontraron 5,738 duplicados. Luego de las depuraciones al 18 de septiembre de 1993 quedó un Registro Electoral de 2,386,362 ciudadanos. Los propios funcionarios consultados reconocen como una debilidad del Registro Electoral la permanencia de fallecidos en ese Registro, pero la explicación que se da es la expuesta en párrafos anteriores, o sea la falta de un buen registro de defunciones y ONUSAL en una oportunidad manifestó que era preferible mantener un fallecido en el Registro que eliminar del padrón a una persona viva dadas las circunstancias apuntadas de deficiencia del registro de defunciones.

SITUACION ACTUAL

A la fecha existen 370,525 fichas en el campo susceptibles de convertirse en carnet. Esto significa en 18 días tendrán que entregar 20,000 carnets diarios, lo cual representa un esfuerzo extraordinario. No obstante según cálculos preliminares podrían quedar sin retirar unas cien mil de esas fichas.

APRECIACIONES ACERCA DEL PROCESO DE ENTIDADES Y GRUPOS INTERESADOS

Una de las mayores preocupaciones que se notan en diferentes grupos es la insuficiencia de personal para atender la entrega de carnets, lo cual ocasiona grandes aglomeraciones en sitios importantes y lo que a su vez desmotiva al ciudadano y lo aleja de las oficinas. A nivel local, la queja es de pasividad de parte de los funcionarios que laboran en esa actividad. Por otra parte se recibieron quejas sobre las mega jornadas ya que la cantidad de carnets que se entregan es poca. Se atribuye esta situación a la falta de fichas en los centros, motivo por el cual se le dice al interesado que su ficha no ha llegado y que debe volver próximamente; con esta situación se pierde efectividad en el proceso de la mega jornada. Para mejorar en este sentido se sugirió la necesidad de hacer una mega jornada de rescate enfocando especialmente en lugares en los cuales la omisión de entrega del carnet puede tener incidencia en el resultado electoral a nivel municipal. Apuntan que de cien municipios problemáticos ahora focalizan 49 en zonas ex-conflictivas. Sugieren, para tratar de resolver el problema de 79,418 ciudadanos, que se refuercen las oficinas con más personal y equipo en algunos sitios, ampliar el horario de trabajo y realizar un llamado a una gran convocatoria para mega jornadas de rescate con intervención activa del Tribunal, ONGs, partidos políticos y ONUSAL. Otro aspecto importante es el rescate de 10,000 solicitudes que estaban perdidas y pasaron a formar parte de los casos problemáticos.

JUNTA DE VIGILANCIA

Mención especial merece la entrevista con miembros de la Junta de Vigilancia, órgano importante dentro de la estructura electoral del país. A primera vista se nota un distanciamiento importante entre ambas instituciones lo cual en algún momento podría resultar perjudicial para el proceso. Existe la queja de un trato displicente por parte del Tribunal hacia la Junta, la falta de cooperación conforme la ley lo prevé y la poca atención que presta aquel a sus sugerencias e inquietudes, como al plan diáfano de cartografía electoral, plan de regularización y unas veinte iniciativas. Estiman que el Tribunal trata de anular cualquier función de supervisión por parte de ellos e incluso obstaculiza sus funciones. Por esos motivos el día 24 del mes en curso emitieron un comunicado público bastante crítico.

OTROS ASPECTOS IMPORTANTES

-Se tuvo acceso al Proyecto Electoral en donde se pudo apreciar, in situ, la labor que se está desplegando para el embalaje del material electoral. Se apreció en detalle gran parte del material que será utilizado en las elecciones, desde las urnas hasta algunos de los materiales menores que tendrán que emplear los miembros de las Juntas Receptoras de Votos. Un aspecto digno de destacar es la medida de seguridad que se implantó en la papeleta o boleta y que consiste en un extremo desprendible que lleva una numeración correlativa. Esta medida se estima que es un paso importante para evitar fraude, y la única observación que se hizo en procura de darle mayor efectividad es que el desprendimiento de ese sector de la papelata se haga no al entregar al elector la papeleta dicha, sino más bien antes de depositarla, con lo cual se tendría la seguridad de que es la misma que se entregó. Desde luego se reconoce que la observación es tardía, pero se insistió como un aporte a dar mayores garantías.

CAPACITACION ELECTORAL

Con relación a este tema la Unidad de Capacitación estima que debido a una reforma de tipo legal por la que se variaron plazos importantes ha disminuido la posibilidad de capacitar a 70,000 personas como miembros de Junta Receptoras, incluidos propietarios y suplentes, con lo cual solamente los titulares estarían recibiendo la capacitación. No obstante tienen material para ser entregado y se encuentran en una etapa de capacitación a los capacitadores de los partidos lo que se llevará a cabo este fin de semana en cada Departamento y están a la espera de hasta cuarenta personas por partido. Estiman que la capacitación intensa será en el periodo que va del 1 al 18 de marzo para los miembros de las Juntas Receptoras de Votos. Para atender este universo esperan laborar a partir de las cuatro de la tarde y hasta horas de la noche, sábados y domingos.

TRANSMISION DE LOS RESULTADOS

En este tema se trabaja a ritmo acelerado y ya se han iniciado las primeras pruebas del sistema que funcionará el día de las elecciones. Existen rutas vehiculares, transmisión via fax y posiblemente por helicóptero se trasladen algunas informaciones. En estos momentos, se nos dijo, se preparan instructivos y está programado que cada domingo de aquí al día de las elecciones se realicen nuevos simulacros con la finalidad de ir corrigiendo cualquier error o

completar algún imprevisto.

SISTEMA DE CONSULTA ELECTORAL

Se tiene previsto que para las elecciones en cada cabecera Departamental (19) habrá un padrón nacional ordenado alfabéticamente, por apellidos y otro ordenado por número de carnet. Además de los datos personales del elector, contendrá el nombre del Centro de Votación y el número de Junta. En los Municipios (148), se excluyen las cabeceras departamentales, estará el padrón del Municipio en las formas expuestas antes. Las Juntas Receptoras tendrán un padrón parcial de electores.

CONCLUSIONES

Luego de numerosas entrevistas se puede decir que el proceso electoral salvadoreño se está desarrollando con un porcentaje favorable de credibilidad no obstante los difíciles antecedentes que existían en el país.

El segundo informe de ONUSAL emitido esta semana, en lo que menciona la labor del Tribunal Supremo Electoral, reconoce mejoras cualitativas, aún cuando mantiene algunos puntos no menos importantes en los cuales deberá mejorar. A su vez una encuesta de la Universidad de Centro América (UCA) publicada en uno de los diarios de la mañana del día 25, señala que "el pueblo confía en la legitimidad de las elecciones". Este ambiente favorece un desahogo de tensión y a la postre permitirá, de mantenerse la situación, que la jornada electoral transcurra en forma pacífica.

Los preparativos que hemos visto para el empaque de la documentación, para la transmisión de datos el día de las elecciones, los programas de capacitación y en general la actitud de los mandos gerenciales cuando se les entrevista denotan que se realizan siguiendo planes definidos. Desde luego que, como se apuntó supra, algunos grupos significativos emiten críticas dirigidas a la dificultad que encuentran los 79,418 ciudadanos que no han podido regularizar su situación y a los problemas ya relacionados en cuarenta y nueve municipios ex-conflictivos. En este renglón el Tribunal difiere sustancialmente de criterio y para ese efecto ordenó un estudio en el que aparecen datos estadísticos concretos, municipio por municipio, tratando de desvirtuar los informes que se dan al respecto.

SUGERENCIAS

En la reunión que se sostuvo con el pleno del Tribunal el día 25 para despedirse y agradecer las facilidades brindadas a esta Misión se aprovechó para sugerir entre otras cosas: a) que se refuercen las oficinas que tengan mayor aglomeración de público con personal adicional y mayor número de equipo; b) ampliar el horario de trabajo incluidos sábados y domingos; c) reforzar la campaña de publicidad para motivar a los ciudadanos que concurran a retirar su carnet involucrando a ONUSAL, ONGs, partidos políticos, y en general a los medios de comunicación masiva; d) estudiar la posibilidad, dentro del marco legal, de que los setenta y nueve mil cuatrocientos dieciocho ciudadanos con problemas puedan ingresar al Registro Electoral, d) analizar la posibilidad de variar las instrucciones para que la colilla desprendible

de la papeleta sea recortada en el momento previo a la introducción a la urna, y no antes; e) definir, de previo, qué ocurrirá con las personas que a la hora de cierre de la votación estén en fila; f) que se permita el ingreso de observadores de IFES al Centro Nacional de Recepción de Datos.

Todas estas sugerencias fueron comentadas y analizadas por los señores Magistrados y al final se nos dijo que IFES tendría la posibilidad de solicitar la acreditación de hasta dos observadores al Centro de Recepción de Datos.

ENTREVISTAS

Magistrados del Tribunal Supremo Electoral

Luis Arturo Zaldívar, Presidente
José Rutilio Aguilera
Eduardo Colindres
Jaime Romero
Pedro Solórzano

Centro de Cómputo

Jorge Valle
Carlos Rodríguez
Juan José Enteriano

Registro Electoral

Carlos Clamont

Unidad de Capacitación

Rey Nelson López

Unidad de Transmisión de Datos

Juan José Bonilla

Proyecto Electoral/Unidad de Planificación

Roberto Fuentes
Roberto Gómez

Junta de Vigilancia

Félix Ulloa
Norma Guevara
Gerson Martínez

ONUSAL/División Electoral

Francisco Cobos

Instituto Social para la Democracia

Ricardo Villalta

APPENDIX III

IFES Election Observation Mission

El Salvador - March 20, 1994 (First Round)

Delegation Leader: The Honorable Jack Hood Vaughn
Former Assistant Secretary of State; Former Peace Corps Director; Former U.S. Ambassador
to Panama and Colombia; **UNITED STATES**

Floryana Brenes
IFES Project Assistant/El Salvador; **COSTA RICA**

Gonzalo Brenes
Magistrate and former President of the Tribunal Supremo de Elecciones; **COSTA RICA**

Father Robert J. Brooks
Washington Office of the Episcopal Church; **UNITED STATES**

Esteban Caballero
Executive Director, Centro de Estudios Democráticos; **PARAGUAY**

Shirley Fell
Federal Returning Officer; **CANADA**

Patricio Gajardo
IFES Program Assistant, The Americas; **UNITED STATES**

Juan Ignacio García
President, Servicio Electoral; **CHILE**

Alejandro Giammattei
Private Secretary for the Vice President of Guatemala; **GUATEMALA**

Jack W. Hopkins
Associate Director and Professor of Public and Environmental Affairs, Indiana University;
UNITED STATES

Justin Hughes
Constitutional Attorney, Manatt, Phelps & Phillips; **UNITED STATES**

Dorothy W. Joyce
Director of Elections, Florida Department of State; **UNITED STATES**

Alison Kaufman
Director of Development, National Order of Women Legislators; **UNITED STATES**

Charles Lasham
Chief Electoral Officer, City of Liverpool; **UNITED KINGDOM**

**IFES/El Salvador Observation
Page Two**

Michele Manatt
Special Advisor, Bureau of Inter-American Affairs, US Department of State; **UNITED STATES**

Vicente Martín Santana
Former Director of ERITEL; **SPAIN**

Kelly McBride
IFES Project Coordinator/El Salvador; **UNITED STATES**

Irene Perurena
Executive Director, Justice and Peace Commission, Panamanian Catholic Church; **PANAMA**

Robin Read
President, National Order of Women Legislators; **UNITED STATES**

Richard W. Soudriette
Director, International Foundation for Electoral Systems (IFES); **UNITED STATES**

Larry Storrs
Specialist in Latin American Affairs, Congressional Research Service, Library of Congress;
UNITED STATES

Froilán Tavares
Former President of the Central Electoral Board; **DOMINICAN REPUBLIC**

Scott Thomas
Commissioner, Federal Election Commission; **UNITED STATES**

Marta María Villaveces
Attorney/Consultant, Central Electoral Commission; **COLOMBIA**

The Honorable Leon J. Weil
Former U.S. Ambassador to Nepal; **UNITED STATES**

###

IFES Election Observation Mission

El Salvador - April 24, 1994 (Second Round)

Delegation Leader: The Honorable Jack Hood Vaughn

Former Assistant Secretary of State; Former Peace Corps Director; Former U.S. Ambassador to Panama and Colombia; UNITED STATES

Patricio Gajardo

IFES Program Assistant, The Americas; UNITED STATES

Justin Hughes

Constitutional Attorney, Manatt, Phelps & Phillips; UNITED STATES

Kelly McBride

IFES Project Coordinator/El Salvador; UNITED STATES

Larry Storrs

Specialist in Latin American Affairs, Congressional Research Service, Library of Congress; UNITED STATES

Marta María Villaveces

Attorney/Consultant, Central Electoral Commission; COLOMBIA

APPENDIX IV

**IFES OBSERVATION SITES
GENERAL ELECTIONS MARCH 20, 1994**

Team: Gonzalo Brenes - Jack Vaughn
Departments: La Libertad and San Salvador

In Department of La Libertad: Nueva San Salvador/Escuela Unificada Marcelino García (opening), Escuela Alberto Masferrer, Zaragoza, City of La Libertad/Instalaciones del ISTU.

In Department of San Salvador: Santa Tecla/Instituto Técnico (closing.)

Team: Juan Ignacio García - Richard Soudriette - Froilán Tavares
Department: San Salvador

San Salvador City and environs: La Feria Internacional (opening and closing), Joaquín Podezno, Universidad Tecnológica, Instituto Nacional Inframen, INPCE, Gimnasio Nacional, Instituto Técnico Industrial.

Team: Dorothy Joyce - Patricio Gajardo - Lee Weil
Departments: Santa Ana and Ahuachapán

In Department of Santa Ana: City of Santa Ana: Círculo Estudiantil (opening and closing), Instituto Nacional de Occidente, Escuela Simón Bolívar.

In Department of Ahuachapán: Turín, El Refugio, and City of Ahuachapán/Instituto Alejandro Humboldt, Escuela Urbana 1 de Julio, Kinder Nacional, Escuela Urbana Mixta.

Team: Father Brooks - Irene Perurena
Departments: San Salvador and La Paz

In Department of San Salvador: Joaquín Podezno (opening and closing), Soyapango/Centro Comunal de la Colonia Guadalupe, City of San Salvador/La Feria Internacional.

In Department of La Paz: Olocuilta/Escuela Alberto Masferrer, El Rosario/Escuela Fabio Ignacio Magaña, San Pedro Nonualco/Instituto Timoteo Leviano.

Team: Shirley Fell - Vicente Martfn.
Department: Chalatenango

In Department of Chalatenango: La Palma (opening), Tejutla, San Rafael, Dulce Nombre de Marfa, Santa Rita, City of Chalatenango, including JRVs moved to Chalatenango from four outlying towns (Arcatao, Nueva Trinidad, San José de las Flores, San Isidro Labrador), Azacualpa, San Francisco Lempa, El Paraíso (closing.)

Team: Esteban Caballero - Robin Reed
Department: Cabañas

In Department of Cabañas: Sensuntepeque (opening), San Isidro, Ilobasco, Tejutepeque.

Team: Alejandro Giammattei - Alison Kaufman - Larry Storrs
Departments: Cuscatlán and San Vicente

In Department of Cuscatlán: Santa Cruz Michapa (opening and closing), Cojutepeque, El Carmen.

In Department of San Vicente: Santo Domingo, City of San Vicente/Parque Central, Apastepeque, San Esteban Catarina, San Lorenzo, San Sebastián.

Team: Charles Lasham - Marta María Villaveces
Departments: San Miguel and Usulután

In Department of San Miguel: City of San Miguel/Avenida Roosevelt (opening and closing.)

In Department of Usulután: Berlín, Mercedes Umaña, Triunfo, City of Usulután, Jiquilisco.

Team: Michele Manatt - Scott Thomas
Department: La Unión

In Department of La Unión: City of La Unión (opening), Anamorós, Santa Rosa de Lima (closing.)

Team: Jack Hopkins - Justin Hughes - Kelly McBride
Department: Morazán

In Department of Morazán: El Divisadero (opening), Joroco (closing), San Francisco Gotera, Perquín, Jocoaitique, Meanguera, Osicala, Delicias de Concepción.

IFES OBSERVATION SITES
SECOND ROUND PRESIDENTIAL ELECTION, APRIL 24, 1994

Team: Jack Vaughn - Marta María Villaveces
Department: San Salvador

In City of Ciudad Delgado: Juan López (opening), Salvador Mendieta, Refugio.

In City of San Salvador: El Complejo, Instituto Nacional Inframen, Edelmira Molina, Palacio de los Deportes, Joaquín Podezno, Instituto Salvadoreño de Formación Profesional.

Team: Patricio Gajardo - Justin Hughes
Departments: San Salvador and Chalatenango

In Department of San Salvador: Aguilares (opening), Guazapa, San Jerónimo, and Soyapango/Escuela Prados de Venecia (closing.)

In Department of Chalatenango: El Paraiso, San Antonio los Ranchos, San Miguel de Mercedes, Tejutla, San José de las Flores, City of Chalatenango.

Team: Kelly McBride - Larry Storrs
Departments: San Salvador, La Paz, San Vicente, and Cuscutlán

In Department of San Salvador: San Marcos/Bodega Zona Franca (opening) and Soyapango/Escuela Prados de Venecia (closing.)

In Department of La Paz: Olocuilta/Instituto Alberto Masferrar, Santiago Nonualco/Escuela de Niñas, Zacateculuca/Escuela Lucía de Villacorta, Plaza José Simón Covas.

In Department of San Vicente: City of San Vicente/Plaza Central.

In Department of Cuscutlán: Cojutepeque/Escuela de Niños Anita Alvarado, Escuela Parroquial San Salvador, and Plaza Central.

APPENDIX V

Final Results of the March 20, 1994 Presidential Elections (First Round)

- Votes cast : 1,411,320
- Valid votes : 1,307,657
- Null votes : 70,503 or 4.99 percent
- Blank votes : 28,311 or 2.00 percent

<i>CANDIDATE</i>	<i>PARTY</i>	<i>VOTES</i>	<i>%</i>
<i>Armando Calderón Sol</i>	<i>ARENA (National Republican Alliance)</i>	<i>641,108</i>	<i>49.03</i>
<i>Rubén Zamora</i>	<i>Coalition (FMLN-MNR-CD)</i>	<i>325,582</i>	<i>24.90</i>
<i>Fidel Chávez Mena</i>	<i>PDC (Christian Democratic Party)</i>	<i>214,277</i>	<i>16.36</i>
<i>Roberto Escobar García</i>	<i>PCN (National Conciliation Party)</i>	<i>70,504</i>	<i>5.39</i>
<i>Jorge Martínez</i>	<i>MU (Unity Movement)</i>	<i>31,502</i>	<i>2.41</i>
<i>Edgardo Rodríguez Engelhard</i>	<i>MSN (National Solidarity Movement)</i>	<i>13,841</i>	<i>1.06</i>
<i>Rhina Escalante de Rey Prendes</i>	<i>MAC (Authentic Christian Movement)</i>	<i>10,843</i>	<i>0.83</i>

(4/4/94 La Prensa Gráfica - El Salvador)

5/1

Final Distribution of Legislative Seats, Municipalities, and Seats for the Central American Parliament (March 20, 1994)

<i>PARTY</i>	<i>LEGISLATIVE SEATS</i>	<i>MUNICIPALITIES</i>	<i>CA PARLIAMENT</i>
<i>ARENA</i>	<i>39</i>	<i>207</i>	<i>9</i>
<i>FMLN</i>	<i>21</i>	<i>12</i>	<i>4</i>
<i>PDC</i>	<i>18</i>	<i>29</i>	<i>4</i>
<i>PCN</i>	<i>4</i>	<i>10</i>	<i>1</i>
<i>MU</i>	<i>1</i>		<i>1</i>
<i>CD</i>	<i>1</i>		<i>1</i>

(6/16/94 Supreme Electoral Tribunal (TSE) of El Salvador)

Final Results of the April 24, 1994 Presidential Elections (Second Round)

- Votes cast : 1,246,220
- Valid votes : 1,197,244
- Null votes : 40,048
- Blank votes : 5,461

<i>CANDIDATE</i>	<i>PARTY</i>	<i>VOTES</i>
<i>Armando Calderón Sol</i>	<i>ARENA</i>	<i>818,264</i>
<i>Rubén Zamora</i>	<i>Coalition (FMLN-MNR-CD)</i>	<i>378,980</i>

(6/16/94 Supreme Electoral Tribunal (TSE) of El Salvador)

APPENDIX VI



PARTIDO ALIANZA
REPUBLICANA NACIONALISTA



PARTIDO DE
CONCILIACION NACIONAL



COALICION
MNR - CD - FMLN

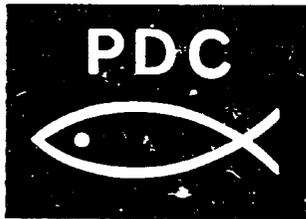


PARTIDO
MOVIMIENTO DE UNIDAD

ELECCION
DE
PRESIDENTE Y
VICE-PRESIDENTE
1994



PARTIDO MOVIMIENTO
SOLIDARIDAD NACIONAL



PARTIDO
DEMOCRATA CRISTIANO



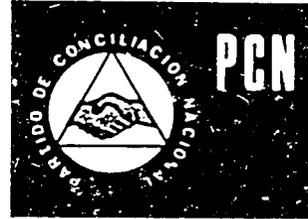
PARTIDO MOVIMIENTO
AUTENTICO CRISTIANO

15/6

COMISION DE DIPUTADOS 1994



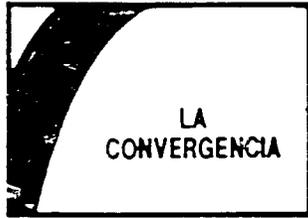
PARTIDO MOVIMIENTO
SOLIDARIDAD NACIONAL



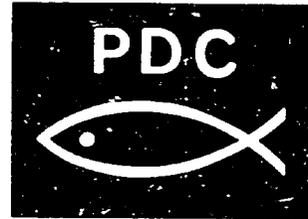
PARTIDO DE
CONCILIACION NACIONAL



PARTIDO ALIANZA
REPUBLICANA NACIONALISTA



PARTIDO CONVERGENCIA
DEMOCRATICA



PARTIDO
DEMOCRATA CRISTIANO



PARTIDO MOVIMIENTO
AUTENTICO CRISTIANO



PARTIDO FRENTE FARABUNDO MARTI
PARA LA LIBERACION NACIONAL



PARTIDO MOVIMIENTO
NACIONAL REVOLUCIONARIO



PARTIDO
MOVIMIENTO DE UNIDAD

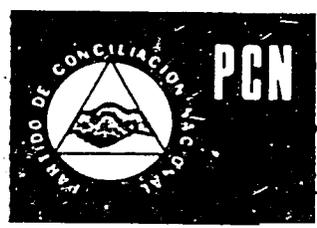
USA

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Elecciones Municipales 1994



PARTIDO FRENTE FARABUNDO MARTÍ
PARA LA LIBERACIÓN NACIONAL



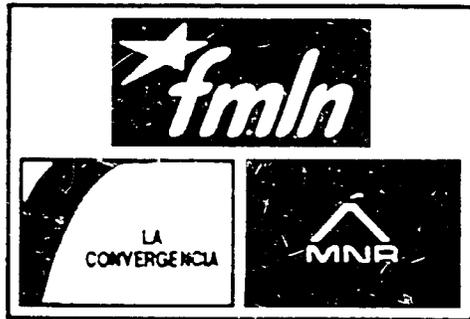
PARTIDO DE CONCILIACION NACIONAL



PARTIDO ALIANZA
REPUBLICANA NACIONALISTA



PARTIDO MOVIMIENTO DE UNIDAD



COALICION
MNR - CD - FMLN

SEGUNDA
ELECCION
DE PRESIDENTE
Y
VICE-PRESIDENTE
1994



PARTIDO ALIANZA
REPUBLICANA NACIONALISTA

APPENDIX VII

ESCRIBA CON LETRA DE MOLDE

 TRIBUNAL SUPREMO ELECTORAL REPUBLICA DE EL SALVADOR		SOLICITUD DE INSCRIPCION AL REGISTRO ELECTORAL				SIRE No. 5329988	
TIPO DE SOLICITUD <input type="checkbox"/> INSCRIPCION <input type="checkbox"/> MODIFICACION <input type="checkbox"/> REPOSICION <input type="checkbox"/> RECLAMO DE FICHA							
PRIMER NOMBRE	SEGUNDO NOMBRE	TERCER NOMBRE		CONOCIDO POR			S N
PRIMER APELLIDO	SEGUNDO APELLIDO	APELLIDO CASADA		APELLIDO MATERNO			PRIMERO SEGUNDO
DEPARTAMENTO DE NACIMIENTO	MUNICIPIO DE NACIMIENTO		ESTADO CIVIL		DEPTO. MUNIC.		S C D V A
FECHA DE NACIMIENTO	PROFESION U OFICIO	SALVADOREÑO POR		SEXO	FECHA DE NAC.	PROF.	
DEPARTAMENTO VOTACION	MUNICIPIO VOTACION		NAC. NAT.	M F			
PRIMER APELLIDO MADRE	SEGUNDO APELLIDO MADRE	COLOR DE OJOS		ESTATURA	PESO LBS	COD. COLOR	
PRIMER NOMBRE MADRE	SEGUNDO NOMBRE MADRE	DOCUMENTO DE IDENTIFICACION PRESENTADO					
PRIMER APELLIDO PADRE	SEGUNDO APELLIDO PADRE	No. DE DOC. DE IDENTIFICACION PRESENTADO				CODIGO	
PRIMER NOMBRE PADRE	SEGUNDO NOMBRE PADRE	PARTIDA	LIBRO	TIPO	No. DE PARTIDA	FOLIO	
PRIMER APELLIDO CONYUGE	SEGUNDO APELLIDO CONYUGE	FICHA ELECTORAL	SIRE		RECLAMO		
PRIMER NOMBRE CONYUGE	SEGUNDO NOMBRE CONYUGE	CARNET ELECTORAL			LEE Y ESCRIBE	SABE FIRMAR	
DEPARTAMENTO DE DOMICILIO	MUNICIPIO DE DOMICILIO		TELEFONO		DEPTO. MUNIC.		S N S N
DIRECCION DE CASA DE HABITACION							
OBSERVACIONES				HUELLA			
DELEGADO	FIRMA DEL DELEGADO	CODIFICADOR	FIRMA DEL CODIFICADOR		FIRMA DEL CIUDADANO		

COPY

ORIGINAL - TRIBUNAL SUPREMO ELECTORAL

19

[Handwritten signature]
01-11-93

[Handwritten signature]
PRESIDENTE C.C.E.
2924177

CONSEJO CENTRAL DE ELECCIONES
REPUBLICA DE EL SALVADOR, C. A.
CARNET ELECTORAL No.

[Handwritten signature]
FERRERA

PROFESION U OFICIO EDUCACION
FECHA EMISION 10/12/90

[Handwritten signature]
FIRMA Y HUELLA DEL CIUDADANO

1717 E4904931

No. SIRE: 4143500
No. DE BASE: 192J742
No. DE JUICIO:
ORIGINAL _____
REPOSICION _____
No. FICHA ANTERIOR

[Handwritten signature]

MUESTRE ESTE NUMERO → No.3461769

[Handwritten signature]
PRESIDENTE T.S.E.
3461769

TRIBUNAL SUPREMO ELECTORAL
REPUBLICA DE EL SALVADOR, C. A.
CARNEY ELECTORAL No.

08011405720004

NOMBRES
PEDRO ARMANDO
APELLIDOS
RODRIGUEZ
BOLAÑOS

DEP / MUNIC
SAN SALVADOR
SAN MARCOS
PROFESION U OFICIO
ARTESANO
FECHA EMISION 08/06/93
REPOSICION .1

FIRMA Y HUELLA DEL CIUDADANO

723 ERG69303
No. SIRE: 4893523
No. DE BASE: 18C05987
No. DE JUICIO:
ORIGINAL _____
REPOSICION _____
No. FICHA ANTERIOR:

[Handwritten signature]

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El Salvador (T.S.E.)

Report about the Electoral System

February 1994

Vicente Martin Santana

Electoral Registry and Voter Cards Issue

Upon the close of registration on January 19th, the electoral registry contains approximately 2.7 million citizens (2,638,734 persons). Those who could be found prior to August 5, 1993 in the Electoral Registry (2,318,000) and the newly registered who were validated when they sent their birth certificates to their municipalities (32,734).

There are also a number of new registration applications that up to now have not been validated due to missing birth certificates and their number is estimated to be between 60,000 and 70,000 according to T.S.E., and about 72,000 according to other sources of information (P.N.U.D. and ONUSAL) and 80,557 according to FMLN who also alleges that those applications belong mostly to those municipalities from their area of influence that were most affected by the war and where obviously more municipal registries were destroyed. There is a possibility that those that can be validated would increase the Electoral Registry.

Based on those two groups, Electoral Registry and pending registration awaiting validation, the political parties have been given the corresponding lists.

The number of citizens with voting cards to the date given on the information in our possession, 12 midnight of January 19, 1994, ascends to 1,941,805, of whom 459,003 obtained their card between July 1993 and January of 1994; 230,796 of those are new registrations. There were also 696,929 cards in the municipalities awaiting their owners to be photographed and be made into voter cards.

According to the preceding information there were 111,903 pending printing which would increase if some pending registrations are validated and the correction of errors has been requested with the public disclosure of the electoral registries.

According to some sources there are 10,000 registrations that had been lost in the computer apparently because of the ineffective use of the backup and restore procedures. The precariousness of human resources due to the party

quotas for the technicians of T.S.E., and the materials, the technological obsolescence of the computers is a worry that cannot be solved due to the nearness of the electoral process.

We have analyzed the document entitled "Proposed Strategy for the Development of Phase 3 during January and March 1994 Period" which considers all the theoretical recommendations to be carried out by us. All that remains is to put it into practice and follow it up.

The only other matter we have to add is the delay that is taking place in the incorporation of birth certificates in some municipalities which were recovered by means of photocopies through a great effort by ONUSAL.

With the pending motivational campaign by T.S.E. and a more active participation by the parties, once they have completed the process of documenting their candidates, we hope that the pickup of voter cards by the citizens will increase from the level of 4,732 a day last January.

Provisional Electoral Scrutiny

The Data Center of TSE keeps the traditional infrastructure which had a WANG VS-500 computer and another WANG VS-700 which was incorporated in April of 93, according to external sources during the same time that those responsible were at a seminar in Santa Cruz de la Sierra, Bolivia.

The quality of phone lines in El Salvador, as far as we have been able to determine as users of the services, is not the best and there will be a need to follow up the tests of the system if the voice phone, fax or circuits for data transmission are to be used to send the election results to the computer at T.S.E.. It seems, according to sources of ONUSAL, they are prepared to utilize ground and air (helicopters) transportation to send the voting results to the computer at T.S.E..

We do not know the design of the computer program for analyzing the returns, and therefore we cannot offer our opinion.

We most point out our concerns over the training of members for the vote receiving boards, five presidors and five substitutes for each, for a total of 78,000 persons for the 7,800 voting places. This training should take place in less than 35 days, according to the last known date for the parties to turn in their list of choices which makes it necessary to prepare a rigorous training plan with pyramidal structure and given the scarcity of resources of T.S.E. (they speak of having 56 instructors) the resources of the parties should be incorporated as well as those of the NGOs and their volunteers

Memorandum on Mission

To: Richard Soudriette, Director
International Foundation for Electoral Systems

From: Lic. Gonzalo Brenes
Licda. Kelly A. McBride

Date: February 25, 1994

Re: Report on Mission to El Salvador

We are pleased to present our report on the mission to El Salvador with a brief account of our interviews (see addenda) which started at the Supreme Court of Elections on February 22. We wish to express our gratitude for the help offered us by the magistrates and all the professionals from whom we requested information

Electoral Supreme Court

At the outset of our mission we requested an audience with the Supreme Court of Elections who received us in full attendance. Present were Justices Luis Arturo Zaldivar, President, José Rutilio Aguilera, Pedro Solórzano, Jaime Romero and Eduardo Colindres. The information that was given to us was extensive, and comprehensive of many aspects. Among these the presentation, of a general nature, by the President deserves to be highlighted as well as that of Eng. Aguilera. The latter pointed out that Decree 205 dealing with the ease for "registering" citizens without proper birth certificates did not have a significant impact on the zones in conflict because only 25,000 people went to register. He also referred to the 79,418 petitions which are being questioned because they lack proper birth certificates and which some groups contend come from specific regions, those enduring civil conflict, and that this contention is not true. On the contrary, they are in the process of preparing a document that shows that these petitions are not concentrated in any given region. The report will show that the petitions reflect the situation of the entire country. The full court agreed to offer us the document mentioned which is being prepared by the Data Center. The graciousness of the members of the court was such that the promised documents were presented to IFES and to the members of the court simultaneously. On another question, regarding the acceptance of all court members of the explanation given to us, the answer was positive and unanimous. We were told,

6/0

besides, that those numbers represented a very low percentage of the electoral registry.

As to the problems that occurred during the 1991 elections with persons unable to vote due to various circumstances, but mainly because of the lack of agreement between the personal data in the electoral registry and in the electoral document, Mr. Aguilera told us that last October the Costa Rican firm UNIMER contracted by Capel took a poll throughout the country and showed that only one percent of those polled found it impossible to vote on that occasion. In spite of those results, he added that the court continued its projects aimed at avoiding repetition of such a situation.

Finally, not wishing to abuse the time offered us by the full court we requested permission to present themes of interest to high ranking officials to which the judges agreed. Immediately, the President called the Data Center and he himself took us there and introduced us to the officers. He also arranged for the architect Pedro Angel, chief of the Electoral Project, to take care of us.

Data Center

In this department we were dealt with in an open and honest fashion by Lic. Jorge Valle and Eng. Carlos Rodriguez, and for a short time, Mr. Juan José Interiano. Some of the members of the group explained some of the important aspects of the project so as to better understand the problems with names and surnames that have to be corrected or which are apparently missing from the electoral registry. This issue has a bearing on the nature of the Electoral Registry and the number on the voting cards.

We learned that a great many persons are born from parents who live together without legal marriage. The percentage of people born in that situation has been informally placed at sixty percent. The custom produces interesting arrangements of the surnames for those citizens because persons in those arrangements use the mother's surname first followed by the father's. This is contrary to the naming practice for children born within a legal marriage who use the father's name first followed by the mother's. The first situation presents difficulties in the location of persons within town records.

Another important aspect is the lack of interest in declaring births on the part of a high portion of the population, estimated at 13 percent. There is even a higher percent of the under registration of deaths. The search on both cases takes

place based on the data given on the mother's surnames or both father's and mother's as the case may be.

Electoral Registry

The establishment of this registry did not begin until 1985, due to the lack of credibility given to the personal identification cards. Between 1985 and 1986 more than 6 million birth certificates were registered, microfilmed, and the data entered in the central computer. This process made two things clear: 1) The municipalities have no standard method for the management of birth and death certificates; 2) many citizens did not have birth certificates because of the historically low registration of births and because in small villages without a town hall it is difficult to carry out the procedure. In order to make it easier for citizens from towns with 10,000 or less inhabitants, the council decided to register those citizens without an identification card.

Important information was provided for us on the characteristics of the number appearing on each voting card for this affects in some instances where there are problems with disagreement between the document and the electoral registry, as we shall see later.

This number is formed in this order: the first two digit belong to the department in which the citizen was born; the second two digits to the municipality, the next two to the birth year, the next to the month, the next two to the day and the following four are assigned ordinals. It was explained to us that the citizens do not have a limit on requesting a voting card and when a correction is needed in any given group of digits because of a mistake in the birth year, for example, the correction will appear in the electoral registry, but nothing impedes the citizen from continuing to use the older document without the corrected data, which can apparently cause the lack of agreement between the numbers for the same file. A similar problem can occur with the citizens' change of names or surnames. The officials we interviewed were very clear in stating that the same file cannot generate different data and that, to date, they had not received complaints of this type.

In relation to the possible presence in the electoral registry of deceased citizens, we learned that there is a high percentage of persons who were buried without their personal data or their relatives being known. This is important because the Data Center works based on the report from information on names and surnames of the citizens and their relation to complete data on mother and father. Another aspect related to the theme is the situation of war which existed for so long, and another important cause is the lack of communication between

the town halls. According to the prevalent system birth registration is carried out in the birth place and the same is true of deaths, but if these events occur at different places the town hall in which the death is registered does not notify the town hall of birth so that the name can be cancelled. Because of these anomalies the system has its critics. Many of these aspects, we are told, were considered from the time of the report made by the UN mission in 1992 (p. 24 and suggestions, b).

Another important aspect is the steps taken concerning the electoral registry. All registered citizens, regardless of their having a personal identification or voting card appear on this list. The closing of the registry should have been December 19, 1993 but was extended by law to January 19 of the present year, as a result they stopped accepting birth certificates at that time and also the (S.I.R.E.) applications. Within the system's operation there was a cut on February 2. The 20th of February is an important date for it marked the moment when the partial and the complete electoral registry were presented to the political parties. This fact makes that date the closing of the registry which cannot be altered after that date. Only replacement of voter cards will be accepted after that date and the card must be issued by the 12th of the same month (see art. 48 of the Electoral Code). The final printed registry is expected by February 28. It is worth mentioning that this registry contains the citizens who requested the card within the time allotted even when they did not come to collect it.

Actions to Remove Errors from the Electoral Registry

There were 333,974 applications (fichas) during the 1985-1990 period (the applications are the intermediate steps between the request for a voter card and its issue), which were eliminated and those citizens were excluded from the Electoral Registry as a result of the implementation of Decree 730 which would require that future uncollected applications more than a year old should be destroyed and the citizen excluded from the Electoral Registry. This last aspect has not been implemented to date because of delays of almost 20 months in the execution of computational operations in the registry. We are told, as an important piece of data, that between December 92 and January 93 there were 20,000 operations. Another type of clean up used was the printing of the Electoral Registry during February-March 1993. It was displayed with publicity and invitations to verify the registrations. Another measure used was the search for double registrations as a way of clean up, a work that started in July of 93

and ended in September of that same year. 5,738 duplicates were found. After the clean up, until September 18, 1993 the Electoral Registry contained 2,386,362 citizens.

The officials we consulted recognize the weakness of the Electoral Registry because of the presence in it of deceased persons, but the explanation given for this fact is the one presented above, that is, the lack of a good death registry. On one occasion ONUSAL expressed that it is preferable to keep a deceased citizen on the Electoral Registry than to eliminate from the registry a living person given the circumstances pointing to the deficiencies in the death registry.

Actual Situation

To date there are 370, 525 applications in process of becoming voter cards. This means that in 18 days they will have to present 20,000 cards daily, which represents an extraordinary effort. Nevertheless, according to some preliminary estimates, 100,000 cards will remain uncollected from among those applications.

Interested Bodies and Groups Assess the Process

One of the greatest concerns seen in different groups is the insufficient personnel to tend to the delivery of the voter cards which causes great congestion in important places which discourages citizens and turns them away from the offices. At the local level the complaint is about the passivity of officials working on this activity. On another score there were complaints about the "mega-days" because of the small number of cards that are given out. This situation is due to the lack of forms at the centers which causes the personnel to say to the citizens that their application has not arrived and that they need to return. In this situation the "mega-days" lose their effectiveness. To improve this situation it was suggested to have a rescue "mega-day" focusing on the locations where the delivery of voter cards was lacking could affect the electoral outcome at the municipal level. They note that from 100 municipalities with problems they have focused on 40 which were in ex-conflict ridden regions. They suggest, in order to resolve the problems of 79,418 citizens, to strengthen the offices with more personnel and equipment in some places, to increase the work hours and to call for rescue mega-days with the active participation of the Court, NGOs, political parties and ONUSAL. Another important aspect is the retrieval of 10,000 applications that are lost and became part of the problem cases. (See chart)

Supervisory Board

The interview with members of the Junta de Vigilancia (Supervisory Board) is worthy of note because of its importance within the electoral structures of the country. At first we noted an important distancing between both institutions which at some moment could become prejudicial for the process. There is a complaint about the mistreatment of the Board on the part of the Court, the lack of cooperation in accordance with the legal provisions, and the lack of attention given by the Court to the Board's suggestions and concerns such as the plan for a transparent electoral mapping (?), a regulatory plan and some other twenty initiatives. The Board estimates that the Court tries to annul any supervisory activity on their part, and even puts obstacles to the execution of its functions. For this reason, the Board issued a very critical, public statement on February 24, which we include in the addenda.

Other Important Aspects

We had access to the Electoral Project where we were able to ascertain on location the work carried out for the packing of electoral materials. We assessed in detail a great portion of the materials to be used in the elections, from ballot boxes to the less important materials that will be used by the members of the Board of Elections. It is worth noting that the security measures that have been established call for a numbered stub tearable from the ballot. This measure is considered to be an important step in deterring fraud. The only observation we made was that in order to increase its effectiveness the stub should be torn not upon giving the ballot to the voter but upon deposition of the ballot, which would insure that it is the same ballot as the one given. Of course we acknowledge that the suggestion comes a little late, but we insisted on it as a contribution to offering greater safety.

Electoral Training

The Training Unit estimates that a legal reform which changed some important deadlines, has diminished the possibility of training 70,000 persons as members of Receiving Boards, including officials and substitutes, leaving as a feasible goal the training of only half that number which would include only the officials. Nevertheless, they have material to be delivered and they are at the training stage of the parties' trainers which will take place in each department, this weekend. Some 40 persons are expected from each party. They estimate that the intense training would be between the first and 18th of March for all the members of the Voter Reception Boards. To handle this group they expect to work from 4 pm until late in the evening on Saturdays and Sundays.

Transmission of Results

There is work being done on this score at an accelerated pace and they have already initiated the first tests of the system that will be operative on election day. There are routes for vehicles, fax transmission and possibly helicopters to carry some information. At present there are instructions being prepared and each Sunday until election day there will be new simulations with the purpose of correcting any error or completing any unforeseen aspect.

Consultation for Electoral System

It is foreseen that by election time at each department seat (14) there will be a national registry in alphabetical order by surnames and another one by voter card number. Besides the personal information of voters the registry will contain the Voting Center's name and the Board's number. The municipalities (148 because the departmental seats are excluded) will have the municipal registry in the same style as described above. The receiving boards will have a partial registry of voters.

Some Conclusions

After numerous interviews we can say that the Salvadoran electoral process is being carried out with a favorable percentage of credibility in spite of the difficult antecedents existing in the country.

The second report from ONUSAL issued this week on the work of the Electoral Supreme Court recognizes qualitative improvements even though it maintains there are some aspects no less important that need improvement. At the same time a poll by UCA (University of Central America) published in one of the morning dailies on the 25th of February points out that "the people trust the legitimacy of the elections." This atmosphere favors the reduction of tension and in the end will allow, if the situation continues, that the electoral process will be peaceful

The preparations that we have seen for the packing of documentation, for the transmission of data on election day, and the programs for training and the general attitude of the administrative leaders during the interviews show that preparations are being carried out according to definite plans. Of course, as it was pointed out above, some significant groups have issued criticism about the difficulties encountered by 79,418 citizens unable to regularize their situation and to the problems already mentioned in the 49 regions where there was conflict. Along this line, the court differs substantially with that judgement and to prove their point they ordered a study in which concrete data was presented on each municipality, in an attempt to discredit the reports on this matter.

Some Suggestions

During the meeting held with all the court members on the 25 for the purpose of saying farewell and to thank them for the assistance they offered our Mission, we took the opportunity to suggest among other things: a) to strengthen with additional personnel and more equipment those centers with the greatest public attendance; b) to increase the working hours including Saturdays and Sundays; c) to reinforce the publicity campaign to motivate the citizens to collect their voting cards and involve ONUSAL, NGOs, political parties and the public media; d) to study the possibility, within the legal framework, of incorporating the 79,418 citizens with problems into the Electoral Registry; e) to analyze the possibility of varying the instructions for the collection of the ballot stub to be detached immediately before placing in the ballot box, and not before; f) to describe, before hand, what will happen with those persons that at the close of the voting place are still in line; g) to allow the presence of observers from IFES at the National Center for Data Reception.

All these suggestions were explained and analyzed by the judges and at the end we were told that IFES would have the possibility to request accreditation for up to two observers at the National Center for Data Reception and such a request would be received favorably.

Interviews

Electoral Supreme Court

Data Center

Jorge Valle

Carlos Rodriguez

Jan José Enteriano

Electoral Registry

Carlos Clamont

Training Unit

Rey Nelson Lopez

Data Transmission Unit

Juna José Bonilla

Electoral Project. Plannification Unit

Roberto Fuentes

Roberto Gómez

Supervisory Board

Féliz Ulloa

Norma Guevara

Gerson Martinez

We requested an audience with the members of the other political parties represented on this board but were unsuccessful.

ONUSAL Electoral division

Francisco Cobos

Institute for Social Democracy

Ricardo Villalta.