

PRESS RELEASE
Preliminary Report of Electoral Observation
Presidential Elections in El Salvador, March 2009
International Electoral Observation Mission from the United States of America

We are the electoral observation mission of **150 citizens** coming from **18 states in the USA** and from the following academic, professional, and religious institutions: Georgetown University – Center for Democracy and Governance, National Lawyers Guild, Mazon: A Jewish Response to Hunger, American University, the Alliance of Baptists in D.C., the Baptist Peace Fellowship of North America, Central Baptist Church, Northwest High School, Faith Weavers, Oregon's Farmworkers Union, and representatives from the Salvadoran community in the USA.

Accompanying the delegation: **Ana Sol Gutiérrez**, Maryland State Legislator; Eileen Purcell, a representative from the SEIU (Service Employees International Union, a union with more than two million members); and Sonja Wolf, one of the 140 North American academics who presented a letter to the current Secretary of State on March 6th regarding the Salvadoran elections.

We have been monitoring the current Salvadoran electoral process from our country and we have come to El Salvador to participate, rightfully accredited by the Supreme Electoral Tribunal, in the observation of Election Day. We have met with the principle actors in the electoral process in the days prior to the election, with the purpose of getting a first-hand background. We have also been monitoring elections coverage in the Salvadoran media during our stay in the country. On the 15th of March, we spread out to the municipalities of Sonsonate, Izalco, Acajutla, El Carrizal, Nombre de Jesús, Aguilares, San Pablo Tacachico, San Vicente, and San Salvador (Inframen, Feria Internacional, Estadio Flor Blanca and Instituto Arce), where we observed the development of the elections from the beginning until the end of Election Day, inside and outside of the respective voting centers.

With this press release, we share a preliminary report from our experience of electoral observation, which will be developed in more detail in a later report.

In the first place, we want to express our fervent congratulations to the Salvadoran people for the demonstration of civility, participation and political culture expressed yesterday in the votes; also, we want to congratulate all the working men and women that participated at the electoral tables and to all the logistical support personnel that made it possible for the Election Day to run successfully. We have been witnesses to the arduous work that took place over more than 12 continuous hours yesterday, providing a good example for the rest of the continent and the entire world. We want to tell the whole population that we were witnesses to how each vote was important, was appreciated, counted, defended, negotiated and decisions were reached by consensus.

We feel very satisfied with the observation work that we did and now we present our report on our observation, concerns and recommendations as a contribution to the strengthening of the democratic process of this country.

For practical purposes, we grouped our concerns around the following themes:

1. The Supreme Electoral Tribunal, as well as the other institutions in El Salvador and the principal mediums of communication, has been politicized, favoring the party in power.
2. Serious problems exist with the Electoral Registry, which have already been highlighted by the Organization of American States (OAS) and by other national and international organizations.
3. The dramatic increase in social violence, reflected in the average daily rate of homicides that increased from 8 to 13.5 between October 2008 and February 2009.
4. There is a lack of regulation and control over campaign financing that affects the democratic conditions necessary for the normal development of the electoral process. We were alarmed by a study done by the National Foundation for Development (FUNDE), financed by the National Democratic Institute (NDI), that reports that “for every 100 advertisements seen by the public between January 2008 and January 2009, 71% were from ARENA and Fuerza Solidaria, 19% were from the FMLN and los Amigos de Mauricio, and the other 10% were from other political parties.”
5. A large percentage of the advertising campaigns, especially those of ARENA and Fuerza Solidaria, has been based on misleading information and has tried to foster a climate of fear and distrust among the population. We noted in particular that many of those advertisements have pretended to represent the position of the United States government, or have tried to pose as official representatives of said government with the purpose of inhibiting the free vote.
6. There are important sectors of the population that were denied or were not provided the right of suffrage, such as the PNC and the Armed Forces, who were on duty during Election Day, and the approximately three million Salvadorans living abroad.

In particular, during Election Day, the day unfolded well, in general with more agility than the January 2009 elections and without having to report serious acts of violence. We encountered these main abnormalities:

- The ARENA party used children as orienteers and for propagandistic purposes.
- The voter orientation by the political parties resulted in a mechanism not suitable because it could cause an induction of the vote, inhibiting the freedom of the voter.
- The Attorney General did not play a sufficiently active role in persecuting electoral crimes.
- Overcrowding in some voting centers made voting difficult, especially during times with large inflows of people.
- The difficulty of accessing some voting centers because of vehicular chaos at certain points during the day may have been a disincentive to vote.
- The inability to vote, in some cases, because of incongruence between the DUI and the registry.

In any case, we recognize the successful opening of the voting centers at an hour more aligned with the law, as well as how the Supreme Electoral Tribunal informed the results of the preliminary scrutiny with punctuality, beginning at 7:40 p.m. of the same day of voting.

With the objective of correcting these anomalies and shortcomings, we recommend:

- The depoliticization of the Supreme Electoral Tribunal and the separation of the jurisdictional and administrative functions of the Supreme Electoral Tribunal.
- The implementation of the recommendations of the OAS expanded upon in the audit report of the Electoral Registry, and the application of the elaborated guidelines for said organization with the goal of making the Electoral Registry more transparent and accessible to all parties.
- The design and implementation of public policies that call for the reduction of the levels of violence in El Salvador and the investigation and persecution of the homicides already taken place in order to put a stop to the current system of impunity.
- The regulation of political party and electoral campaign financing.
- To initiate a process of extensive reform of the electoral system with the goal of progressing the development of democracy in El Salvador, as well as to take up the recommendations of the different electoral observation missions and of Salvadoran civil society organizations, who have made suggestions in every electoral event since the signing of the Peace Accords.

We thank the Salvadoran people for having allowed us to participate in these elections as international observers and we congratulate them again for the civic culture demonstrated last Sunday, March 15, and for coming massively to vote in spite of the adversities and obstacles that confronted them.

Finally, we want to express our satisfaction for the official declarations made by our government in the days prior to the elections, culminating in the clarification of the position of the government of the United States of America before Election Day in El Salvador, a position of neutrality and respect to the sovereignty of the Salvadoran people. That gesture fills us with hope, hope for a new relationship between the US and Latin America, based on cooperation, friendship, and common values of democracy, transparency, and respect for human rights.

Thank you.

San Salvador, March 16, 2009.