

El Salvador – 1994 – Presidential Elections and Legislative Assembly

My name is Rafael Lopez Pinto. I am a former tenure professor at the Universidad Autónoma in Madrid, Spain, and in the last 30 years I've been basically devoting my activities to International electoral assistance support in different roles with the UN and International Idea. I faced another international organization.

The experience I'm going to present today will be short, my experience in El Salvador, with the United Nations in 1992, 1993, 1994, this was the first general election after the Civil War, which lasted for about 12-13 years. With almost 100,000 dead casualties. And a peace agreement was signed in Chapultepec, Mexico, and the UN was mediating in that agreement. And then? A big UN mission was established in the country, not just electoral. It was just a peacekeeping mission with security with military and police, human rights and elections, and I was appointed as the electoral director of that mission.

So the mandate of the agreement for the UN concerning election was basically to help ensure that the peace agreement will be applied, properly applied. Mainly concerning, ensuring that, the former population living. Any of the two contend that, but basically the National Liberation movement, which was the guerrilla was having was not difficult, the mobilization and the and on the other hand, that results counting and then transmission and releasing of the results would be done according to the law. So this was 2 main areas where, the role I have to perform there, where the focus and these are the two areas where I am going to discuss briefly. Because this is where I learn more during that experience. Also, this happened 30 years ago. I think that maybe in the near future, given the state of the work order today of the international system there might be situations, similar arrangements would have to be made after civil conflicts with different or varying degrees of violence today. Precisely we were living up the easiest of the situation with this war in Europe again. But I think that the two areas of mobilization, of voters. making people become citizens. With citizens on the one hand, and on the other hand, that the results of an elections are accepted, by former contenders. And two main areas where the international community should always be alert to do whatever is possible, whatever it is at hand at a given moment in time.

Concerning political mobilization, the main challenge in El Salvador, was that the voting would require personal voting, voter registration and the procedure to that was quite complicated because you needed a birth certificate, regional birth certificate, not photocopied. Then you have to go present to a registration centre which was permanently set. Resend that and then you would get registered. Then you would get a voter card without which you couldn't be allowed to go to the procedure ballot at the

polling station. Therefore, the main problem for the UN mission was that hundreds of thousands of people, most of them peasants living in areas which were under the hottest situations in the city, would have difficulties either to get a birth certificate to begin with or to register, or to get the voter card if they were registered in former elections in previous elections before they were. So as the Election Day was approaching, we discovered that around half a million people were not registered and were not in an easy situation to get registered and the time was very short. So there was a big effort in convincing the relevant authorities to issue a decree whereby a birth certificate, a copy, a photocopy of birth certificates. Would be valid to make just a direct registration without the person having to go to the polling station. There was a lot of resistance by the electoral authorities. The local authority. I was actually, by the way, a sort of parallel. The UN Department of Election was a sort of parallel electoral authority because there was a legal international mandate. For that, for that mission that we had to apply, we had to implement. At the end of the day, a decree was issued allowing for this, you know, and then the problem was how to get photocopies. Municipality after Municipality 500 photocopies, 500,000 photocopies, in a matter of I think it was about two weeks or so and then get those people registered at that time. There is no scan and all of this technology, so we have to go the best way and the easiest was the photocopy. So we managed with international assistance the money from different sources. We managed to get convoys of cars with photocopier machines going to the municipalities. Going through the civil registries records. You get photocopies of birth certificates then coming back to the central authority because it was all centralized in the capital city in San Salvador. And then go to the electoral authority and push to have those people register to make it brief from around 500,000. Birth certificates. Around 200,000. Or 250,000. We managed to get that. Following through the tube, the bureaucratic procedures and get the register and the others, it was impossible because of the time the time was short and also because of the resistance by the electoral bureaucracy. But at least that was a big effort.

There was some risk involved in that, of course. And a lot of diplomacy to do, to be exercised. Before the authorities, the other aspect, also equally important, was the counting and the releasing of results. The release of the results. For the counting, the United Nations was established because there was a big observer mission at the time there, it established a quick count of parallel vote counting. The direction this was organized in through the network of electoral observers. The parallel counting took place so that by 9:00 or so in the evening we had the result of the election. The results were very tight. It was a government candidate. 33 candidates or four I don't remember, but then the government candidate and the candidate from the Rebel, formerly rebel movement, Well, next to next so the result was not from parallel counting. The result

was not could not be said to be definite, and what was clear was that most likely there would be a second round. A second round would be needed in the presidential election.

Because this was the situation, the electoral authority of the country, the UN, was not eager to start releasing results as the agreement which had been made in advance was established. So by 11:30 at night there was no result at all on the TV or radio. And so at that time I called the President of the Electoral Commission and asked them do you think, are you going to release yourself? Well, not by now. You have to wait and then. I consulted with my superiors in the UN and I said that the situation is very serious. Not only because the people will go to the streets and start it, it was starting protest is starting, which might evolve toward violence, but also because if there was a second round, I mean, if the candidate from the government would proclaim himself a winner without the vote being properly and totally counted. This would introduce a new difficulty in the situation, which was very tense and delicate. And so if the controller, it was the results were released in a second round of possible. And then if a second round would be coming in at the end of the day, then it would be good because in the case of winning for the government candidate or for the liberation move.

The situation for implementing in a reasonable manner the agreement, the peace agreement. The situation would be more amenable to agreements, you know, partial accords. Then, if one would be clear, Victor from the very beginning, etcetera, etcetera. So I told the President and the chairman of the Electoral Commission. If you don't release results before 12:00 which will be in half an hour or so, the woman will call a press conference and we will release the results of the quick count, which are these I gave the result. Him and he said no you if you prefer, you can do that no problem. We have to come to this to take the responsibility, come out and and call the place and and tell the result and say, most likely it is not clear by now, but most likely there will be a second round and there was a second round. The government candidate won. And after that you know there was a government term for that presidency and then the liberation movement won three different elections, even the government today comes from a splinter from the liberation movement.

The idea is that in El Salvador, since then, politically evolved in the following decades evolved according to what has been reached, the agreement which has been reached in Chapultepec. Which lessons can be learned from this experience in these two particular, regarding these two particular challenges? One is that to me, if there is a mandate, either legal, illegal from an international agreement or government coming out or mandate sort of interinstitutional accord, as it sometimes happens between organizations with electoral system missions and government, there is something written we should stick to. One should speak. Very, very seriously to what had been

agreed and consequently pushed. Keep putting pressure in that direction. That means not to give up. There is no need to give up because sometimes you never know politics in general. It is a volatile area of human behaviour and in electoral times, volatility is still higher than in normal political times. So maybe in two or three days you can do what you couldn't do in three or three months before. But you never know, so keep not to deal. Keep pushing to the end. And concerning the exercise of the counting of results. It's a similar lesson. I mean you keep pressure. Properly applied law enforcement to be ensured if the law of or an agreement which is not in the law. But it says an inter-institutional agreement has been reached. OK, stick to that. Put pressure on that. And try as much as one can to get the result released in a proper manner, because sometimes even if the results which have been released are OK. The way in which they were released did not bring, or excite, the confidence, of the people's public confidence. So to me these were the two main lessons to be learned from the Salvadoran experience. Thank you very much.