Democratic Transition in Post-Conflict El Salvador
The Role of the International Community

Working paper 29

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August 2004
Preface

In April 2002, the Conflict Research Unit (CRU) of the Netherlands Institute of International Relations ‘Clingendael’ started a comparative research project analyzing the role and impact of international democracy assistance on post-conflict societies. This project, entitled Democratic Transition in Post-Conflict Societies. Building Local Institutions is a collaborative research effort between participating research institutes in Central America, Africa and South Asia and the ‘Clingendael’ Institute. Unlike other studies, the analyses are conducted by local researchers and reflect their views on the influence international assistance has had on the process of democratization in their countries. The main question addressed is how international assistance can have a more sustainable and positive impact on the functioning of electoral, human rights, and media organizations in post-conflict societies. In order to include a wide variety of experiences and different socio-political settings, case studies focus on Cambodia, El Salvador, Guatemala, Rwanda, Ethiopia, Uganda, Mozambique, and Sierra Leone.

Using a structured assessment methodology each country report focuses on some of the key aspects that determine the democratic strength of local organizations: sustainability, autonomy/independence, accountability, and influence. The primary aim of the reports is to assess which domestic organizations in the field of elections, human rights, and media have received international assistance in the various post-conflict countries. In addition, the analysis focuses on the type of activities funded and their long-term impact. Finally, the studies aim to provide lessons learned and concrete recommendations to improve international democracy assistance.

The following case study about El Salvador concentrates on international assistance after 1992 when the Peace Accords were signed between the Salvadoran government and the Farabundo Martí National Liberation Front (FMLN). The report traces the main political developments in the post-conflict period and analyzes the influence of electoral, human rights, and media assistance on the civil society and governmental sector in El Salvador. In this respect, Mr. Roberto Rubio-Fabián, Mr. Antonio Morales Tomás Carbonell, Mr. Florentín Meléndez, and Mrs. Anne Germain Lefévre have produced a valuable contribution to the debate about the role of the international community in El Salvador’s ongoing democratization process.

This ambitious joint project would have been impossible without the generous grant and personal commitment from the Department of Communication and Research (DCO) of the Netherlands Ministry of Foreign Affairs. The Conflict Research Unit gratefully acknowledges this support. The contents and views expressed in this paper are the sole responsibility of the authors and should neither be ascribed to the Clingendael Institute nor to the Netherlands Ministry of Foreign Affairs.

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The Hague, Netherlands
May 2004
Acknowledgements

El Salvador is a country where information sources are difficult to access due to the lack of a culture of transparency and a prevailing sense of mistrust. This complicates research and makes it more difficult in ways that those who possess information do not usually comprehend in all of its dimensions. We are, therefore, especially grateful to a number of people, who within this context of mistrust and secrecy—and on a topic as sensitive as international assistance—have been able to understand our research work, provide us with valuable information, and/or allow us the time for an interview. Though it is a long list, we must mention all of them, apologizing ahead of time if our memory or records have somehow failed to register their names.

We want to express our gratitude to: Francisco Sancho (Director of the Office for Spanish Cooperation in El Salvador); Antonio Cañas (UNDP); David Holiday and Otto Vidaurre (CREA); Edgar Varela, for his participation in the workshop in Guatemala (2003); Victoria Marina de Avilés (Supreme Court Justice); Beatrice de Carrillo (Human Rights Ombudsperson); Carlos Mauricio Molina Fonseca (former Human Rights Ombudsperson); María Julia Hernández. (Director of the Archdiocese Legal Aid Office); Benjamín Cuéllar (Director of the Human Rights Institute of the University of Central America, UCA); Jorge Murcia (Consortium of Human Rights NGOs); Miguel Montenegro (National Commission on Human Rights in El Salvador, CDHES); Vladimiro Villalta (Minister of Foreign Relations); Ingeniero Mora (TSE); Roberto Viera (TSE Magistrate); Xiomara Avilés (Office of the Electoral Registry); Mauricio Herrera (AID); José Antonio Palacios (Electoral Vigilance Board); Félix Garrid Safie (Director of the National Registry of Natural Persons); José Antonio Morales Ehrlich (ISAM); Ernesto Alschult (former Secretary of the President’s National Secretariat for Communications and Director of Channel 33); Beatriz Barraza (HIVOS, Holanda); Narciso Castillo (Director of Canal 33); Carolina Poggio and Pedro Martín García (Diakonia, Sweden); Franz Hasbún (specialist in mass media communications); Jaime López (PROBIDAD); William G. Meléndez (President of APES); Lina Pohl (Böll Foundation, Germany); David Rivas Alvarado (Coordinator of the Communications and Journalism Program at the University of Central America (UCA); Maria Dolores Rosa (Ebert Foundation, Germany); Carlos A. Rosales (Communications Secretary of the Presidency); Roberto Turcios (former Director of Tendencias magazine).

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San Salvador
May 2004
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List of Abbreviations

ACUDES  Asociación Cultural de Difusiones Evangélicas Salvadoreñas
(Cultural Association of Salvadoran Evangelical Radio Stations)
AECI  Agencia Española para la Cooperación Internacional
(Spanish Agency for International Cooperation)
APES  Asociación de Periodistas de El Salvador
(Journalists Association of El Salvador)
ARPAS  Asociación de Radios y Programas Participativos de El Salvador
(Association of Participatory Radio Stations and Programs of El Salvador)
BPR  Bloque Revolucionario Popular
(Popular Revolutionary Block)
CAF  Communication Assistance Foundation (Netherlands)
CAPAZ  Asociación Camino a la Paz
(The Road to Peace Association)
CAPEL  Centro de Asesoría y Promoción Electoral
(Center for Electoral Assistance and Promotion)
CCE  Concejo Central de Elecciones
(Central Elections Council)
CD  Convergencia Democrática
(Democratic Convergence)
CDHES  Comisión no gubernamental de Derechos Humanos de El Salvador
(Non-Governmental Human Rights Commission of El Salvador)
CEDAW  Convention on the Elimination of All Forms of Discrimination Against Women
CEJIL  Centro para la Justicia y el Derecho Internacional
(Center for Justice and International Law)
CEMUJER  Centro de la Mujer
(Women’s Center)
CESO  Canadian Executive Services Organization
CFLI  Canada Fund for Local Initiatives
CIDA  Canadian International Development Agency
CIMADE  Comité Inter-Mouvements Aupres Des Evacués
Co-CIVICA  Consorcio de ONG de Educación Cívica
(Consortium of NGOs for Civic Education)
CODEFAM  Comité de Familiares Víctimas de Violaciones de Derechos Humanos
“Marianella García Villas”
(The Marianella García Villas Committee of Family Members of Victims of Human Rights Violations)
COMADRES  Comité de Madres y Familiares de víctimas de violaciones de Derechos Humanos (Committee of Mothers and Family Members of the Victims of Human Rights Violations)
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Name</th>
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<tr>
<td>COMAFAC</td>
<td>Comité de Madres y Familiares Cristianos por la Defensa y Promoción de los Derechos Humanos (Christian Committee of Mothers and Family Members for the Defense and Promotion of Human Rights)</td>
</tr>
<tr>
<td>CONARA</td>
<td>Consejo Nacional de la Reforma Agraria (National Council of the Agrarian Reform)</td>
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<td>CONCULTURA</td>
<td>Consejo Nacional para la Cultura y el Arte (National Council for Culture and the Arts)</td>
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<td>CORELESAL</td>
<td>Comisión Revisora de la Legislación Salvadoreña (Committee to Review Salvadoran Legislation)</td>
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<tr>
<td>CPDH</td>
<td>Centro para la Promoción de los Derechos Humanos “Madeleine Lagadec” (The Madeleine Legadec Center for the Promotion of Human Rights)</td>
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<td>CREA</td>
<td>Creative Associates International</td>
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<td>CRS</td>
<td>Catholic Relief Services</td>
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<td>DANIDA</td>
<td>Danish International Development Agency</td>
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<td>DUI</td>
<td>Documento Único de Identidad (Universal Identity Document)</td>
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<td>FAO</td>
<td>Food and Agriculture Organization of the United Nations</td>
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<td>FESPAD</td>
<td>Fundación de Estudios para la Aplicación del Derecho (Foundation for the Study of the Application of Law)</td>
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<tr>
<td>FDR</td>
<td>Frente Democrático Revolucionario (Democratic Revolutionary Front)</td>
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<td>FES</td>
<td>Friedrich-Ebert-Stiftung</td>
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<td>FIU</td>
<td>Florida International University</td>
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<tr>
<td>FMLN</td>
<td>Frente Farabundo Martí para la Liberación Nacional (Farabundo Martí National Liberation Front)</td>
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<tr>
<td>FPL</td>
<td>Fuerzas Populares de Liberación (Popular Forces of Liberation)</td>
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<tr>
<td>FUNDASPAD</td>
<td>Asociación Salvadoreña Para el Desarrollo Local y la Democracia (Salvadoran Association for Local Development and Democracy)</td>
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<tr>
<td>HIVOS</td>
<td>Humanist Institute for Corporation with Developing Countries</td>
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<td>IADB</td>
<td>Inter-American Development Bank.</td>
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<tr>
<td>ICFJ</td>
<td>International Center for Journalists</td>
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<tr>
<td>IDHUCA</td>
<td>Instituto de Derechos Humanos de la Universidad Centroamericana (Human Rights Institute of the University of Central America)</td>
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<td>IEJES</td>
<td>Instituto de Estudios Jurídicos de El Salvador (Institute for Legal Studies of El Salvador)</td>
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<tr>
<td>IFEX</td>
<td>International Freedom of Expression Exchange</td>
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<td>IIDH</td>
<td>Instituto Interamericano de Derechos Humanos (Inter-American Human Rights Institute)</td>
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<tr>
<td>IMU</td>
<td>Instituto de la Mujer (Women’s Institute)</td>
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<tr>
<td>IAPA</td>
<td>Inter-American Press Association</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Description</td>
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<tr>
<td>ICCO</td>
<td>Inter-Church Organization for Development Cooperation</td>
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<tr>
<td>IPEC-ILO</td>
<td>International Program on the Elimination of Child Labor, International Labor Organization</td>
</tr>
<tr>
<td>ISDEMU</td>
<td>Instituto Salvadoreño para el Desarrollo de la Mujer (Salvadoran Institute for Women’s Development)</td>
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<tr>
<td>KAF</td>
<td>Konrad Adenauer Foundation</td>
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<tr>
<td>MIRE</td>
<td>Movimiento Independiente pro Reforma Electoral (Independent Movement for Electoral Form)</td>
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<td>MNR</td>
<td>Movimiento Nacional Revolucionario (National Revolutionary Movement)</td>
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<tr>
<td>MS</td>
<td>Mellemfolkeligt Samvirke (Danish Association for International Cooperation)</td>
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<tr>
<td>NGOs</td>
<td>Non-Governmental Organizations</td>
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<tr>
<td>NHRF</td>
<td>Norwegian Human Rights Fund</td>
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<tr>
<td>NORAD</td>
<td>Norwegian Agency for International Development</td>
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<tr>
<td>NOVIB</td>
<td>Netherlands Organization for International Development Cooperation</td>
</tr>
<tr>
<td>OHCHR</td>
<td>Office of the United Nations High Commissioner for Human Rights</td>
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<tr>
<td>OAS</td>
<td>Organization of American States</td>
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<tr>
<td>OECD</td>
<td>Organization for Economic Cooperation and Development.</td>
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<tr>
<td>ONUSAL</td>
<td>Misión de Observadores de las Naciones Unidas en El Salvador (UN Observer Mission in El Salvador)</td>
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<tr>
<td>PAHO</td>
<td>Pan American Health Organization</td>
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<tr>
<td>PARLACEN</td>
<td>Parlamento Centroamericano (Central American Parliament)</td>
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<tr>
<td>PCN</td>
<td>Partido de Conciliación Nacional (National Conciliation Party)</td>
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<tr>
<td>PDC</td>
<td>Partido Demócrata Cristiano (Christian Democrat Party)</td>
</tr>
<tr>
<td>PDDH</td>
<td>Procuraduría para la Defensa de los Derechos Humanos (Office of the Ombudsman for Human Rights)</td>
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<tr>
<td>PFC</td>
<td>Programa Periodistas Frente a la Corrupción (Journalists against Corruption Program)</td>
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<tr>
<td>PNC</td>
<td>Policía Nacional Civil (National Civilian Police)</td>
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<tr>
<td>PROCEPER</td>
<td>Proyecto Centroamericano de Periodismo (Central American Journalism Project)</td>
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<tr>
<td>PRODECA</td>
<td>Programa de Derechos Humanos en Centroamérica (Central American Human Rights Program)</td>
</tr>
<tr>
<td>PRO-BUSQUEDA</td>
<td>Asociación Pro-Búsqueda de Niños Desaparecidos (Association for the Search for Disappeared Children)</td>
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<tr>
<td>SENCO</td>
<td>Secretaría Nacional de Comunicaciones (National Communications Secretariat)</td>
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<tr>
<td>SIDA</td>
<td>Swedish International Development Agency</td>
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<tr>
<td>SIGET</td>
<td>Superintendencia General de Electricidad y Telecomunicaciones</td>
</tr>
<tr>
<td>Acronym</td>
<td>Full Name</td>
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<tr>
<td>SIP</td>
<td>Sociedad Interamericana de Prensa (InterAmerican Press Society)</td>
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<td>TCS</td>
<td>TeleCorporación Salvadoreña (Salvadoran Tele-Corporation)</td>
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<tr>
<td>TROCAIRE</td>
<td>Development Agency of the Catholic Church in Ireland</td>
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<tr>
<td>TSE</td>
<td>Tribunal Supremo Electoral (Supreme Electoral Tribunal)</td>
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<tr>
<td>UCA</td>
<td>Universidad Centroamericana José Simeón Cañas (José Simeón Cañas University of Central America)</td>
</tr>
<tr>
<td>UDN</td>
<td>Unión Democrática Nacionalista (Nationalist Democratic Union)</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Program</td>
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<tr>
<td>UNESCO</td>
<td>United Nations Educational, Scientific and Cultural Organization</td>
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<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<tr>
<td>UNFPA</td>
<td>United Nations Population Fund</td>
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<tr>
<td>UNO</td>
<td>Unión Nacional Opositora (National Opposition Union)</td>
</tr>
<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
</tr>
<tr>
<td>UNIFEM</td>
<td>United Nations Development Fund for Women</td>
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<tr>
<td>UN-WFP</td>
<td>United Nations World Food Program</td>
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<tr>
<td>US</td>
<td>United States</td>
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<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
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<tr>
<td>UTEC</td>
<td>Universidad Tecnológica de El Salvador (Technological University of El Salvador)</td>
</tr>
<tr>
<td>WACC</td>
<td>World Association for Christian Communication</td>
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<td>WHO</td>
<td>World Health Organization</td>
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</tbody>
</table>
# Glossary

- **Absolute Majority**
  A majority that includes at least half of all votes plus one. An absolute majority is required to elect the President and Vice-President of the Republic.

- **Civil Registry**
  Public institution responsible for recording, updating, and certifying vital events and their characteristics. Its work is linked to the person and the family, providing an official and permanent version of births, marriages, deaths, emancipations, filiations, legitimacy certifications, acknowledgements, adoptions etc.

- **Departmental Electoral Board**
  Body made up of political party representatives who are charged with conducting and supervising an electoral process in a particular department.

- **Departmental Electoral District**
  Demarcation of the territory corresponding to each of the 14 departments of the national territory and the number of voters in each department. Representatives to the Legislative Assembly are elected based on the definition of this district.

- **Dispute Mechanisms**
  Legal instruments (trials, appeals, claims etc) that are constitutionally or legally available to correct, modify, revoke, or annul electoral certifications or resolutions—administrative or jurisdictional—when these resolutions are deficient, unconstitutional, or illegal.

- **Domiciliary Voting**
  System through which citizens vote in the municipalities in which they are legally registered according to their identity document (cédula) or voter registration card, without regard to where they are actually living.

- **Election Observation**
  The systematic search for information about an electoral process with the purpose of carrying out a reasonable evaluation based on the information gathered.

- **Electoral Campaign**
  The organizational and communications activities carried out by candidates and parties in order to convince people to vote for them.

- **Electoral Coalition**
  A pact signed by two or more political parties and registered duly in the Supreme Electoral Tribunal in which the parties agree to participate jointly in a certain election.

- **Electoral Fraud**
  Behavior including deceit, manipulation, falsification, distortion, obstruction, or violence—exercised in any phase of the electoral process—that seeks to keep elections from happening or affect their universal, free, and secret nature.

- **Electoral Institutions**
  Specialized and, to varying degrees, autonomous State bodies in charge of a particular electoral activity.

- **Electoral Registry**
  Electoral body charged with registering eligible citizens to vote and compiling the Electoral Roll.

- **Electoral Roll**
  List of citizens above the age of 18 eligible to vote in a particular election. This roll was first
compiled based on personal identity documents (cédulas) and was later based on voter registration cards solicited by citizens. Currently the Electoral Roll is based on information contained in the Universal Identity Document (DUI).

<table>
<thead>
<tr>
<th><strong>Electoral System</strong></th>
<th>Methodology used to determine electoral victory and the candidates who will occupy the various positions and seats.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Electoral Training</strong></td>
<td>The processes and techniques through which crucial information and knowledge is transmitted to a group of people in order to help them fulfill their electoral tasks.</td>
</tr>
<tr>
<td><strong>Municipal Electoral Board</strong></td>
<td>Body made up representatives of political parties in charge of conducting and supervising an electoral process in a particular municipality.</td>
</tr>
<tr>
<td><strong>Municipal Electoral District</strong></td>
<td>Demarcation of the territory corresponding to each of the 262 municipalities of the country and the number of voters in each Municipal Councils are elected based on the definition of this district.</td>
</tr>
<tr>
<td><strong>National Electoral District</strong></td>
<td>Demarcation of the entire national territory and the number of voters it contains The President and Vice President of the Republic, 20 representatives of the Legislative Assembly, and the representatives to the Central American Parliament are elected according to definition of this district.</td>
</tr>
<tr>
<td><strong>Polling Station Board</strong></td>
<td>Body made up of representatives of political parties in charge of overseeing the voting and doing the initial vote count on the day of the elections in question.</td>
</tr>
<tr>
<td><strong>Proportional Representation</strong></td>
<td>Mechanism for distributing legislative seats according to the number of votes obtained by each political party, by calculating quotients and residues as established in the Hare Method.</td>
</tr>
<tr>
<td><strong>Residential Voting</strong></td>
<td>System through which citizens are able to vote in previously determined territorial districts where they are residing.</td>
</tr>
<tr>
<td><strong>Simple Majority</strong></td>
<td>The largest number of votes relative to those obtained by other competing candidates. A simple majority is needed to elect municipal council members.</td>
</tr>
<tr>
<td><strong>Vigilance Board</strong></td>
<td>Body made up of representatives of all the political parties and in charge of the ongoing vigilance of the electoral process. It has authority to supervise, gain access to information, and make recommendations to the Supreme Electoral Tribunal.</td>
</tr>
<tr>
<td><strong>Vote Count (escrutinio)</strong></td>
<td>Election results are determined by counting the votes.</td>
</tr>
</tbody>
</table>
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
Executive Summary

Country Context

El Salvador is the smallest country in Central America and its population of 6.6 million inhabitants makes it the most densely populated country in the Western Hemisphere (309 persons per km$^2$). In 2000, more than 55% of the population lived in the city and 45% in rural areas. An estimated 2 million Salvadorans live in the United States, and in 2002 they sent home nearly US$ 2 billion in family remittances, a sum equal to almost 70% of total exports and almost 14% of the GDP.

From its birth as an independent republic (1859) until the early 1990s, Salvadoran socio-political history was marked by authoritarianism. Poverty, unequal distribution of wealth, and the lack of democratic freedom were some of the factors contributing to a history rife with confrontation and violent events, including the prolonged armed conflict of the 1980s. This eleven-year war (1981-1991) pitted the Salvadoran government and Army against the insurgent Farabundo Martí Front for National Liberation (FMLN) and left a toll of over 40,000 dead.

Throughout most of the war, the parties engaged in an on-again-off-again, wide-ranging process of dialogue and negotiation, which culminated in Peace Accords, signed on January 16, 1992. This agreement marked a break with the country’s authoritarian past and opened the way to begin the transition toward democracy. Indeed, the Peace Accords subjected the Army to effective civilian control, replaced the old security forces with a National Civilian Police, minimized political violence, strengthened freedom of expression, facilitated better-run elections, opened the way to the true possibility of alternating power, brought broad pluralism to the floor of the Legislative Assembly, gave the Judiciary and the Legislature greater autonomy from the Executive, and contributed to the creation of new institutions and agencies for human rights and justice (office of the Human Rights Ombudsman, National Council of the Judiciary). Ten years after the signing of the Peace Accords, progress in the political arena has been significant, including advances in electoral affairs, human rights, and freedom of expression. In what ways did international assistance contribute to all of this? The answer to this question is the main objective of this study.

International Assistance in El Salvador

Most international assistance received during the armed conflict was of a military nature or for military use and came from bilateral aid from the United States. US military aid to El Salvador during the war could have been well over US$ 3 billion. Another less significant portion of international assistance was given as humanitarian aid, primarily for aiding refugees and people displaced by the conflict. Immediately following the signing of the Peace Accords, copious amounts of international assistance also came into the country for post-war reconstruction work.

It is very difficult, however, to calculate the total amount of international assistance received by El Salvador as it has tried to consolidate peace and democracy. The best available sources of information on international assistance do not facilitate estimating the amount of aid earmarked for
peace and democracy activities, let alone the three areas of particular interest for this study. Some meaningful data does exist, however. Fifteen projects totaling close to US$26 million are listed under “Peace Consolidation Processes” from 1992 to 2000. The five main countries sponsoring projects in the post-conflict period were the United States (560 projects), Sweden (178), the Netherlands (148), Norway (117), and Germany (87). According to data from the Organization for Economic Cooperation and Development (OECD), the total amount of aid received by El Salvador during the post-conflict period (1992-2001) was US$ 3.6 billion. The five largest donors were the United States (US$ 1.7 billion), Japan (US$464 million), Germany (US$260 million), the European Union (US$228 million), and the Netherlands (US$74 million). Although precise figures are still not available, OECD information on assistance to El Salvador would indicate a downward trend in aid starting in 1992.

Electoral Assistance

The conditions wrought by the civil war in El Salvador between 1981 and 1991 did not prevent elections from being held throughout the decade. These elections, although free and secret, did not have the participation of the armed opposition, the FMLN, and its political wing, the Democratic Revolutionary Front (FDR).

The electoral system in force during the 1980s was acceptable for the conflict El Salvador was going through and included the following elements: voting as a political right and responsibility; a free, secret, direct and equal vote; an electoral roll prepared independently by the Central Council on Elections (CCE); and an Electoral Code that built on constitutional principles.

In the wake of the Peace Accords, the Salvadoran Constitution was amended, political parties were given the right to oversee the electoral roll, members of the military were banned from any participation in politics, and the CCE was replaced by the Supreme Electoral Tribunal (TSE) made up of representatives of the three leading parties and the Supreme Court. A new Electoral Code was published in 1993, which adopted the general legal electoral structure from the 1980s and introduced changes prompted by the constitutional reforms. These changes included the national electoral district, the National Register of Natural Persons (RNPN), designation of the TSE as the highest authority on electoral matters, the Electoral Counsel (Fiscal Electoral), the establishment of the number of members and percentage of votes needed to form or dissolve parties, and election rules for the Central American Parliament (PARLACEN).

During the war, elections were held with all the limitations and distortions brought about by the non-participation of opposition sectors united under the FMLN and the FDR. The Peace Accords continued electoral system reforms and allowed participation of the FMLN and opposition parties. Since then, more reforms have been made, improving electoral participation and transparency.

These changes were insufficient for advancing democracy in El Salvador, however, and the following reforms were recommended: implementation of residential voting; making polling station board membership non-partisan; using a Universal Identity Document (DUI) for voting; including minority representation on municipal councils; passing laws to ensure each vote has the same value; and passing laws for the internal regulation of political parties.

International assistance has played an important role in advancing the reforms made thus far, especially since the Peace Accords. In the first post-conflict elections in 1994 this assistance was especially significant in terms of the activities of the UN Electoral Division, which spanned every stage and component of the electoral process, including voter registration, the Electoral Roll, the
campaign, vote counting, and results. International assistance has continued to have an important role after 1994 in other basic electoral processes such as: cleaning up the voter registration lists (the Electoral Roll), implementing the DUI and residential voting, and modernizing the TSE.

Technical assistance definitely contributed to improving in-country capacity before and after the 1994 elections. During these elections, the Electoral Division of ONUSAL (the United Nations Observer Mission in El Salvador) provided technical and logistical support for creating the electoral roll by helping with computerized data processing and equipment upgrading. This contributed to improving the voter registration process. The UN technical team also had a very useful and active role in this phase of the electoral process, by providing legal and logistical advice, elections equipment, and supplies, and by helping out in different ways with organizing the election, reorganizing the electoral roll, and informing and orienting voters. Various countries and institutions gave electoral assistance to strengthen agencies like the TSE and the Board of Vigilance and make them more independent. In addition, with aid from international agencies, civil society organizations have been able to carry out public election monitoring, engage in voter education and support, and strengthen advocacy efforts to win passage and implementation of electoral reforms.

There are limits inherent in assistance programs, but the limits that arise from the national context surrounding the elections are even more important. For instance, despite international aid in the 1994 elections, the TSE had great difficulty meeting the deadlines set for voter registration, ensuring adequate training for polling station boards and party poll-watchers, and adequately informing the public about electoral procedures, deadlines, polling places, etc. Added to these problems are factors related to the agency’s lack of political will to investigate citizen complaints.

Currently, the lack of political will to move forward with electoral reforms, the weak institutional framework of electoral agencies, and the excessive influence of political parties on electoral processes are creating obstacles for international assistance programs aimed at strengthening the democratic process in El Salvador.

**Human Rights Assistance**

Prior to the Peace Accords, human rights violations were serious and systematic, characterized by political and socio-economic exclusion; individual and mass executions; forced disappearances of persons; the generalized practice of torture; illegal, arbitrary detentions; impunity; the absence of political will and institutional capacity to investigate, punish and clarify these violations; abuses of power; and the absence of political democracy and the rule of law. Conditions during the war kept certain constitutional reforms (1983) and initiatives aimed at improving human rights from fulfilling their purpose even minimally. In early 1992, however, the Peace Accords established a number of commitments between the signatory parties, the fulfillment of which did contribute to improving the status of human rights. Among the major human rights stipulations of the Peace Accords are the strengthening or creation of institutions linked to the respect, promotion, or monitoring of human rights including: the judicial system, civic human rights defense organizations, the National Civilian Police (PNC), and the office of the Human Rights Ombudsman.

International assistance played an important, constructive role in strengthening and creating an institutional framework conducive to the respect for human rights. It aided the establishment of the Human Rights Division of ONUSAL, which played a key role in verifying the human rights aspects of the Peace Accords. It contributed to strengthening the human rights areas within the National Civilian
Police, the Inspectorate General of the PNC, the National Academy of Public Security, the Ministry of Foreign Relations, the General Directorate of Prisons, the Armed Forces, the Salvadoran Institute for the Development of Women, the Salvadoran Institute for the Protection of Minors, the School for Judicial Training, and the office of the Attorney General. International assistance was crucial for the creation and development of the office of the Human Rights Ombudsman. It also contributed to strengthening the organizational capacity of different human rights NGOs in terms of strategic planning and institutional development, dissemination, monitoring, publications, etc. Some of these NGOs include the Human Rights Commission of El Salvador (CDHES), the Human Rights Institute of the University of Central America (IDHUCA), the Foundation of Studies for the Application of Law (FESPAD), and the Consortium of Human Rights NGOs.

International assistance also contributed to making Salvadoran human rights law consistent with international human rights law. It contributed to strengthening local institutional capacity in connection with legal and humanitarian aid to refugee, migrant, displaced, and repatriated groups of people. It aided the rehabilitation of ex-combatants, the reintegration of demobilized war veterans into society, and humanitarian assistance for those disabled during the war. International assistance contributed to the promotion of a culture of peace, national reconciliation, and democratic values related to human rights and fundamental liberties.

The most significant impacts of this international assistance have been in the following areas: the continuity and development of the work of human rights NGOs; building the human rights movement; developing greater NGO capacity to respond to the demand for popular education and defense of human rights; greater awareness about the domestic and international human rights responsibilities of the State; greater capacity in State institutions for meeting their international human rights obligations; greater knowledge and awareness on human rights issues within the country; and the facilitation of personnel in the public and private sector who are more highly trained in human rights.

The main weaknesses in this assistance include some shortcomings in identifying the country’s human rights needs; a lack of information about other agencies and programs involved in human rights work; the lack of communication, information sharing, and effective coordination between donors; some duplication of efforts and resources due to lack of communication; a lack of effective monitoring and verification of assistance processes due to the lack of suitable personnel and/or resources; delays in funds disbursement; the absence of reliable impact indicators; flaws in evaluation and results measurement; a lack of a strategic vision regarding local capacity building and project sustainability; and an inadequate strategy for phasing out assistance to the country and ensuring continuity through the use of State funding.

### Media Assistance

The signing of the Peace Accords in 1992 marked the beginning of an atmosphere of political openness and liberalization in El Salvador. This, in turn, encouraged the media to initiate its own process of transformation and to develop in a more pluralistic, critical direction. Although the media’s role in democratic transition has not been a major element of the international assistance agenda, assistance agencies have participated in the process of change the media has undergone since the early nineties.
Assistance has been targeted in several directions:

a) Creation of new print media outlets, including the weekly newspaper *Primera Plana* and *Tendencias* magazine, which have contributed to fostering investigative reporting and a range of opinions;

b) Production of television programs (including “*A Fondo,*” “*Realidades: Periodismo de Fondo,*” and “*Emisión Especial*”) which have become benchmarks for professional excellence and innovative journalism;

c) Strengthening NGOs related to the media sector (The Association of Radio Stations and Participatory Programs of El Salvador, ARPAS; The Association of Journalists of El Salvador, APES; and PROBIDAD). These NGOs have become more proactive in public debate on the media’s role. Among other achievements, ARPAS has obtained legal status for community radio stations and procured the 92.1 FM frequency. PROBIDAD has positioned itself as an authority in the field of freedom of expression and the fight against corruption. APES wrote a Code of Press Ethics, which has become a measuring stick for debates on journalism and a reference document for journalists and students of journalism;

d) Improvement in professional journalistic capacity, through the participation of Salvadoran journalists in training seminars. Particularly noteworthy are the seminars sponsored by Florida International University in the framework of the Central American Journalism Project (PROCEPER) and the intensive journalism courses organized by the Friedrich Ebert Foundation in Germany and the United States. These programs have undoubtedly contributed to better trained journalists who are more committed to the practice of professional newsroom journalism;

e) Aid for legal and institutional reforms in the telecommunications sector, resulting in the passage of a new telecommunications law in 1996 and the creation of the General Electricity and Telecommunication Superintendence (SIGET) in charge of managing the radio spectrum and allocating transmitting frequencies through public auction.

International assistance has had a general influence over the progress made in media. The practice of journalism has grown more professional; news and investigative reporting have wider coverage; and the media has improved its role as watchdog over public institutions and as a space for opinion and debate.

Nonetheless, these advances are still fragile and limited by a number of factors, including the following: a) close ties between certain media outlets and big business, resulting in limited openness to pluralism and pressure on journalists as to news content; b) the practice of using State and private advertising to punish or reward the media depending on their stance on issues of public interest; c) certain legal provisions (especially in the Penal Code) that restrain the practice of journalism because of the risk of disqualification and jail for the crimes of slander and libel; and d) restrictions on the free access to public information.

Weaknesses in international media assistance include the tendency to finance the creation and support of new media outlets without ensuring beforehand that these will be run by people who possess at least minimal managerial and administrative capacity. Another weakness is the lack of a long-term vision regarding funding for innovative television programs with high audience acceptance ratings. Important strengths include the contribution made to modernization of the media through the
training of journalists, the creation and support of new media outlets, aid for producing innovative television programs, and assistance to strengthen several NGOs working in journalism.

International assistance should definitely continue to support the process of media modernization in El Salvador. This study recommends prioritizing innovative media initiatives with managerial capacity, high public credibility, and the ability to become self-supporting. Another priority for action should be technical and financial aid to review the Salvadoran legal framework and adapt it to the international conventions on freedom of expression signed by El Salvador.

Final Considerations

There is no doubt that international assistance to El Salvador has contributed to the democratic transition process by developing the electoral system, protecting and promoting human rights, and contributing to the freedom of expression. However, international assistance in these areas was mainly related to observance of the Peace Accords. Once the Peace Accords process was completed (1997/98), aid started dropping off noticeably, leaving unfinished the difficult and fragile process of consolidating democracy. For international assistance agencies to see their positive efforts of previous years come to fruition, their current efforts at consolidating and building democracy in El Salvador will have to be just as strong.

International agencies cannot target aid to the same areas or to the same degree, however. Under current circumstances, two areas are fundamental to democratization in El Salvador: socio-economic reforms and the pursuit of dialogue and political understanding. Without substantial progress in these areas, the advances made toward democracy could experience severe reversals, as seen recently in conflicts in several Latin American countries (Ecuador, Argentina, Venezuela, Bolivia, Haiti).

Furthermore, support to the areas analyzed in this study (elections, human rights, and media) should be reconsidered and new priorities should be set. International electoral assistance should focus its efforts on the internal democratization of political parties, residential voting, voting for Salvadorans abroad, the electoral representation system, and making the Supreme Electoral Tribunal non-partisan. Human rights priorities should be aimed both at institution building within State agencies and citizens’ organizations and at promoting economic and social rights. Finally, with regard to the freedom of expression, emphasis at this point in time should be placed on fostering “democratization” of media ownership, through the promotion of citizen and corporate initiatives that enable greater access to the existing media, as well as the creation of solid, qualified new mass media outlets.

In closing, it is worth mentioning that new international assistance efforts to contribute to the democratic consolidation process require a greater in-country physical presence. Once observance of the Peace Accords had finalized and peace was consolidated, a large number of international assistance agencies moved their offices outside of El Salvador. This has reduced their effectiveness because it is quite difficult to take the pulse of a situation as dynamic and changeable as the Salvadoran if you are trying to do it from afar. Unfortunately, this has meant that many of the decisions made by international assistance agencies have not been well informed.
I. Introduction

This chapter provides an overview of the 1981-1991 armed conflict in El Salvador and the democratic consolidation process that began with the signing of the Peace Accords on January 16, 1992 between the government of El Salvador and the insurgent group called the Farabundo Martí Front for National Liberation (FMLN).

The first section summarizes El Salvador’s history, geography, population, and its most important characteristics. The second contains a concise historical account of the armed conflict. The third section is a brief assessment of the process of consolidating peace and the democratic transition beginning with the Peace Accords. Finally, the fourth section mentions some of the features of international assistance during the post-conflict period.

1.1 Country Background

El Salvador gained independence from Spain in 1821 and became part of the Federal Republic of Central America. Periods of intense infighting and wars between the Federated States followed, and El Salvador finally proclaimed itself a sovereign, independent republic in 1859. Until the end of the 19th century, the Salvadoran nation continued to be plagued by internal disputes and conflicts. It was not until 1880 that the Salvadoran State gained greater stability, with the beginnings of the authoritarian “coffee republic,” characterized by the economic, social, and political importance of the era’s principal export commodity, coffee.

A coffee oligarchy established during this time maintained its authoritarian, undemocratic control over the State, either directly or through the Army, until the end of the 1980s. Changes brought on by the war and the Peace Accords led to the dismantling of this oligarchic, authoritarian State, and a democratic transition began that is still in process today.

El Salvador is the smallest of the Central American countries, barely 21,040 km². However, its population of over 6.5 million inhabitants makes it the most densely populated country in the region, and the Western Hemisphere (with 309 inhabitants per km²). The population is 52% female and 48% male, with 45% of the total under the age of 19 and 5% over 65. In 2000, over 55% of the inhabitants lived in cities and 45% in rural areas.

El Salvador’s heavy migratory flow is an idiosyncrasy that must be taken into account in order to understand current conditions. Official sources estimate that approximately two million Salvadorans are living in the United States alone. That is 30% of the population. The tight bonds these migrant communities maintain with El Salvador have led to the development of heavy financial, commercial,

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social, and cultural traffic, most notably family remittances. With close to US$2 billion per year, remittances have become a key variable in the nation’s economic makeup. In 2002, remittances brought in more money than any traditional export, reaching almost 70% of total exports and almost 14% of GDP.\textsuperscript{3} In short, migration has introduced substantive changes in El Salvador’s economic, social, and political conditions during recent years.

1.2 Conflict History

Since its birth as an independent republic until the early 1990s, El Salvador’s socio-political history has been defined by authoritarianism. Poverty, the unequal distribution of wealth, and a lack of democratic arenas were some of the factors contributing to a history rife with confrontation and violent events, among which the long armed conflict of the 1980s stands out.

The establishment (early 1880s) and consolidation (late 1920s) of the coffee republic, was fostered by the liberal principles of the era, which gave precedence to opening up to the outside and to international trade.\textsuperscript{4} In this context, the State at that time was built largely around coffee exports. Although the Salvadoran State cloaked itself in democratic trappings (constitution, parliament, elections, legal institutions, etc.), these usually functioned in a formalistic, discretionary manner, responding to the interests of coffee-growing groups or families. As the ruling classes engaged in disputes over coffee growing, processing, and export, the following political tendencies emerged: the coup d’etat as the preferred mechanism for coming to power, wars between the domestic elites, frequent constitutional amendments, single-party elections, use of the Army for political repression, presidentialism, etc.

However, conflict in this period was not limited solely to disputes between the ruling classes. Their interests in controlling land and safeguarding their property in order to export coffee also led them into ongoing, violent conflicts with indigenous communities and peasant farmers who were on lands suitable for growing the “golden grain.” The ejido system and communal lands were abolished by law in 1881, and 1882 marked the beginning of a violent process of encroaching upon and dispossessing the poor of their lands with gross disregard for human rights. This was a period characterized by great concentration of land and wealth, increasing poverty, the shutting down of what little democratic space there was, and social exclusion. These conditions, along with the worldwide Great Depression of 1929 and other factors contributed to bringing on one of El Salvador’s most violent events—the crushing of a peasant uprising in 1932 with a death toll of 7,000 to 25,000.\textsuperscript{5}

The violent repression of what was the first popular uprising in Latin America completed the consolidation of an authoritarian military regime, which in a coup months earlier had undone the significant attempts at democratic reforms coming from within the coffee republic (1913-1927 and 1927-1931). The suppression of the uprising also secured the political and economic power of the coffee growers’ oligarchy and ushered in the long, cruel military dictatorship of General Maximiliano Hernández Martínez (1931-1944).

\textsuperscript{3} ECLAC, op. cit., pp. 19, 21, 23.
\textsuperscript{5} Ibid.
Despite the fall of this dictatorship in 1944 and other attempts at opening up democratic spaces, military regimes controlled by the agro-export oligarchy governed the country until 1979. This political scenario was not free from conflict, however. The closing of avenues for free expression, electoral fraud, and ongoing human rights violations led to many clashes (coups; frequent states of emergency; repression of strikes and public demonstrations; military intervention in workplaces, trade unions, and the public university). The last conflict was a protracted war (1981-1991) in which the Salvadoran government and Army fought the insurgent FMLN in a conflict that caused the death of over 40,000 people.

The context of authoritarianism, the political and economic exclusion of the majority, and highly concentrated wealth caused a great deal of polarization (between rich and poor, large and small landholders, bosses and workers) and provided the justification of armed struggle as the way to power. The first guerrilla organization to propose armed struggle—with the objective of establishing a popular revolutionary government through a strategy of a “prolonged people’s war”—was the Popular Forces of Liberation (FPL) in 1970. Most of the other guerrilla organizations formed in the early 1970s and had similar political-military strategies.

These guerrilla organizations were primarily of urban origin, and during the early 1970s they were mainly made up of middle-class students, teachers, and intellectuals along with certain worker and peasant groups. In the first half of the 1970s, as they slowly coalesced and extended their operating range in the cities, they also set up and promoted the so-called mass fronts, broad social organizations with heavy participation from peasant organizations. During the second half of the 1970s, these organizations grew stronger and larger in both rural and urban areas, giving rise to a powerful mass movement that was constantly mobilizing and applying significant social pressure. One of the largest was the Popular Revolutionary Block (BPR), linked to the FPL. Later, in 1980, the BPR would unite with the mass organizations tied to the other guerrilla organizations and form the Revolutionary Coordination of the Masses. By 1979, the guerrilla groups not only had a strong mass movement at their disposal, but they had also increased their presence in rural areas and had incorporated many peasants into their ranks.

Significant political opposition advocating electoral, democratic struggle also emerged in the 1970s. This opposition movement was made up primarily of the Christian Democrat Party (PDC) and the social-democratic National Revolutionary Movement (MNR). These two parties united with the Nationalist Democratic Union (UDN), the political arm of the Communist Party, under the banner of the National Opposition Union (UNO). Blatant electoral fraud in the 1972 and 1977 elections made it clearer that there were no avenues for democratic expression and that electoral and peaceful means to change were being shut down. This situation led many social-Christian and social-democratic leaders and rank-and-file to move closer to the guerrilla organizations, which, in turn, strengthened them and lent greater legitimacy to their programs and organizations.

In October 1979, in an attempt to change the overall situation and overthrow the authoritarian military government of General Carlos Romero, a group of self-styled “young military officers,” with the support of certain progressive and intellectual sectors, staged a coup and installed a civic-military

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6 *Ejército Revolucionario del Pueblo* (ERP, 1970); *Resistencia Nacional* (RN, 1972); *Partido Revolucionario de los Trabajadores Centroamericanos* (PRTC, 1973); and the *Fuerzas Armadas de Liberación* (FAL, 1979), the armed wing of the Salvadoran Communist Party.

7 The social-Christians and social-democrats were the foundation of the *Frente Democrático Revolucionario* (FDR), which became the ally of the FMLN during the entire war in the 1980s.
junta. This reformist attempt failed in a matter of months, however, and the old authoritarian ruling classes returned to power. Repression grew and its victims included even Monsignor Oscar A. Romero, Archbishop of San Salvador (March 1980). These circumstances set the stage for the unification of the five guerrilla forces under the FMLN and the FMLN insurrection of January 1981, which turned into the protracted civil war of the 1980s.

The failure of the 1981 guerrilla insurrection and the subsequent repression carried out by the Army, security forces, and “death squads” led the FMLN to withdraw to the countryside, where they regrouped, joined together, and strengthened their ranks. There, under the strategy of a protracted people’s war, the FMLN established large zones of control in the abandoned, barely accessible mountainous territory in the northern part of the country (primarily in the departments of Chalatenango and Morazán). From there, they moved out into more central regions of the country and were able to make their influence and presence felt in the cities, including the capital. By the end of the 1980s, the FMLN had built a significant army, estimated at some 7,000 combatants. More important, perhaps, than this guerrilla army, were the civilian masses all across the country who supported them, especially in the FMLN-controlled territories. This organized social support—and not so much the number of combatants or the quality of their weaponry—was the primary factor that enabled the FMLN to fight an Army of close to 50,000 soldiers with relative success over several years; an Army that was supported by massive amounts of US military aid and training, and which cost an estimated average of US$1 million a day during the 1980s.

1.3 The Peace Process

The signing of the Peace Accords on January 16, 1992 was preceded by several years of efforts at dialogue and negotiation between the Salvadoran government and Army and the FMLN. In 1981, a peace mission organized by the Socialist International was dispatched, headed by Edward Broadbent, a Canadian. The Christian Democrat International from Germany had also tried to mediate between the opposition grouped under the FDR and the Christian Democratic government junta after the attempted insurrection in 1981. The Organization of American States (OAS) made similar efforts around the same time through Costa Rican President, Rodrigo Carazo. Other attempts were made by the governments of Mexico and Venezuela and the Salvadoran Catholic Church. All these attempts were rejected by the Salvadoran government junta and the US government, which believed they could win a prompt military victory. The FMLN took a similar stance before launching its January 1981 insurrection after a proposal for dialogue and negotiation offered by US President Jimmy Carter.

In 1983, through the intermediation of Colombian President Belisario Betancur, a couple of private meetings were held in Colombia with delegations from the FDR/FMLN, a Peace Commission formed by the Salvadoran government, and US administration officials. During the early 1980s, there were also attempts at mediation and dialogue sponsored by the Contadora Group, made up of the governments of Mexico, Colombia, Venezuela and Panama. In 1984, the meeting between recently-elected President Napoleón Duarte and the main FDR and FMLN leaders in the northern town of La

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10 The following information is based on Ministry of Education, op.cit., and Martínez Peñate, Óscar, op.cit.
Palma marked the beginning of public, high level meetings both inside the country (Ayagualo 1984, the Apostolic Nunciature in San Salvador 1987), and outside its borders.

Parallel to this, in August 1987 in Guatemala, the Central American presidents signed a declaration in which they agreed to promote, among other things: national reconciliation through dialogue; an amnesty to guarantee the sanctity of life, liberty and security; a National Reconciliation Commission for the purpose of verifying the true effectiveness of the national reconciliation process and respect for civil and political rights; an exhortation to cease hostilities; and democratization including complete freedom for television, radio, and the press; total political party pluralism; the effective rule of law; constitutional guarantees; and free and fair multi-party elections. Despite all these attempts and all the official declarations, no major progress was made in the dialogue and negotiation process, and the war and confrontation continued their course.

It was not until 1989 that dialogue and negotiation efforts began to make significant progress. This was influenced by several factors. The first was the military offensive launched by the FMLN on the capital city in November 1989. The offensive did not meet its objective of sparking a broad insurrection joined by the masses, and guerrilla forces sustained many casualties as they were pushed back by the Army. The offensive did demonstrate, however, that the FMLN had a serious capacity to attack the capital and that a military victory by either side was impossible. Second, in the months before the military offensive, there had been a mounting public outcry and international pressure to find a peaceful solution to the conflict and to come to peace agreements. Third, this pressure, particularly international pressure on the Salvadoran and US governments, grew stronger following the assassination of six prominent Jesuit priests at the hands of the Army during the guerrilla offensive.

It was in this context that an Agreement on Human Rights was signed between the Salvadoran government and the FMLN in July 1990 in Costa Rica. Each party pledged to respect and guarantee human rights, and verification mechanisms were established paving the way for a significant role for a UN verification mission.

The peace negotiations, which moved ahead more quickly after the April 4, 1990 Geneva Accord and the May 21, 1990 Caracas Agenda, required a set of reforms to the Salvadoran State in various areas: the presidency, electoral agency, judicial branch, armed forces, etc. Thus the main constitutional reforms were agreed upon before the Peace Accords were signed. These were later ratified by the Legislative Assembly and include the following:

- Electoral system reforms, emphasising the change from the previous Electoral Counsel to a Supreme Electoral Tribunal, where the composition is more pluralistic and independent of the political parties;
- Reforms in the jurisdiction of the Presidency of the Republic, especially regarding the Armed Forces, Ministers, State Intelligence Agency, and National Civilian Police;
- Reforms in the role of the Armed Forces, limiting its functions to defending the nation’s territory and sovereignty, and allowing intervention in domestic security affairs only in exceptional cases, and under presidential order;
- Reforms in the judicial branch, regarding the functions and jurisdiction of the Supreme Court, judges, and the office of the Attorney General (offices of the public prosecutors, public solicitors and human rights ombudsman);
• Court reforms having to do with the make up and election of its magistrates. Reforms regarding minimum qualifications and performance of judges and the role of the National Council of the Judiciary;
• Reforms to the office of the Attorney General especially regarding the Human Rights Ombudsman’s office, its functions and mission, the mechanism for electing the ombudsman, etc.

The Peace Accords marked a significant break with the country’s authoritarian past and began the transition toward democracy. Indeed, the Peace Accords subjected the formerly powerful Army to effective civilian control, replaced the security forces with the National Civilian Police, minimized political violence, strengthened freedom of expression, facilitated better-run elections, opened the way to the true possibility of alternating power, brought greater pluralism to the floor of the Legislative Assembly, gave the Judiciary and the Legislature greater autonomy from the Executive, and contributed to the creation of new institutions or agencies for human rights and justice (office of the Human Rights Ombudsman, National Council of the Judiciary). Ten years after the signing of the Peace Accords, progress in the political arena has been significant, including progress in electoral affairs, human rights, and freedom of expression.

In spite of these significant advances, however, the process of democratization is still fragile after more than 12 years. Democracy is not yet consolidated and the political system suffers from gross inadequacies and a growing lack of credibility. Abstention is around 50-60% of voters and has been creeping upward; political parties do not allow for sufficient democratic participation internally; the composition of the Supreme Electoral Tribunal is tied to political party quotas; the voter roll is deficient; and the electoral reforms related to residential voting and extending the vote to Salvadorans living abroad have never come to pass. Furthermore, even though there are virtually no politically motivated killings and the human rights situation has improved, the agencies responsible for monitoring and defending human rights have been weakening (i.e. offices of the Human Rights Ombudsman and the Public Prosecutor). Finally, although freedom of expression exists, the media is highly concentrated in the hands of groups loyal to official stances and certain political leanings, and avenues for criticizing them are often subject to subtle economic harassment.

The Peace Accords in El Salvador also left a large void in the economic and social realm. For the most part, economic and social aspects were limited to a land-transfer program for reintegrating ex-combatants into productive life. While a Forum for Economic and Social Consensus-Building was established and included representatives of workers, private enterprise, and government, it was a resounding failure and was essentially disbanded within a few months of its constitution. Factors contributing to this breakdown included high levels of polarization and mistrust, immaturity among the participants, lack of concrete agreements about how the Forum should work, and the lack of a clear agenda and mechanisms for implementation.

1.4 Post-Conflict Assistance

Most of the international assistance received during the armed conflict was of a military nature or for military use. Given that US military aid alone during the war was estimated to be over US$1 million a day, international military assistance received by El Salvador during the war could have surpassed US$ 3 billion. This made El Salvador one of the top recipients of US military aid in the world.
Furthermore, certain economic development programs, like those of the National Commission for Reconstruction of Areas (CONARA), were tied to the US military strategy of removing the guerrillas’ social base of support in the so-called “disputed zones.” Another much less significant segment of international aid was allocated under the heading of humanitarian aid and was used for supporting war refugees and displaced persons; a large proportion of this assistance came from Scandinavian countries, especially Sweden.

Considerable international assistance was also geared to post-conflict reconstruction immediately after the Peace Accords were signed. Preliminary data gathered for this study show that election assistance alone between 1993 and 1998 can be estimated at over US$170 million. However, it is not easy to calculate the amount of international assistance received by El Salvador in the areas of concern for this study. The information source available, and which has perhaps the best and most well organized information on international assistance by category and country, does not allow for a good estimate of the aid targeted specifically to the consolidation of peace and democracy and is even less helpful for calculating the amount of aid targeted to strengthening the electoral system, human rights, and freedom of expression.

It was possible to ascertain the following features of international assistance from this information source:

- Under the heading “Peace Consolidation Processes” there were a total of 15 projects for nearly US$26 million between 1992 and 2000 in El Salvador. Approximately 80% was contributed by the United States Agency for International Development (USAID);
- Under the “Democracy and Civil Society” heading for the same period, El Salvador received 181 projects of different types;
- For all post-conflict-era projects (1991-2003), El Salvador was the recipient of 560 projects from US agencies, 178 from Sweden, 148 from the Netherlands, 117 from Norway, 87 from Germany, 80 from the Inter-American Development Bank (IADB), 84 from Spain, 82 from Japan, 77 from Canada, and 66 from Austria;
- In 2002, the five main donors to El Salvador were the United States with US$77 million, Spain with US$51 million, Japan with US$47 million, Germany with US$22 million, and the European Union (EU) with US$20 million. The Netherlands contributed, in sixth place, with US$9 million;
- According to data from the Organization for Economic Cooperation and Development (OECD), total aid received by El Salvador in the post-conflict phase (1992-2001), was US$3.663 billion, and the five largest donors were the United States (1.724 billion), Japan (464 million), Germany (260 million), the European Union (228 million) and the Netherlands (74 million).
It would appear from the data above that El Salvador has received substantial amounts of post-conflict aid. However, even though detailed data is not available, the information provided by the OECD on assistance to El Salvador would indicate a downward trend since 1992.\textsuperscript{15}

\begin{figure}
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\includegraphics[width=\textwidth]{Figure1.png}
\caption{International Assistance to El Salvador (1992-2001)}
\end{figure}


1.5 Methodology and Report Outline

Gathering information for this report has not been easy. In societies like El Salvador, organizations are unaccustomed to documenting, and mistrust involving international aid is accompanied by a great deal of lack of transparency. It is also difficult to establish and quantify causal relationships between international assistance and the variables examined in this study. Certainly, given that a large variety of factors (political, cultural, economic, social, etc.) are involved in the progress and setbacks in these areas, it is not easy to determine the breadth and depth of the influence of international assistance. In spite of these difficulties, however, a broad range of information has been gathered from primary and secondary sources. These include a good number of reports written by international donor organizations themselves and by the organizations that receive aid. Another, much smaller, amount of information was gleaned from the Internet. Most primary sources are interviews with the principal actors and institutions involved in issues of international electoral assistance, human rights assistance, and media assistance.

In addition to this first chapter, which provides context for the situation of the country, this study includes four other chapters. The first three of these include an analysis of one of the three topic areas of research: elections, human rights, and the media, respectively. In order to analyze the role of international assistance in these areas after the 1992 Peace Accords, each of the three chapters

\textsuperscript{15} Ibid.
analyzes the context of the topic, gives a description of international assistance in that specific area, and presents the possible impact of international assistance (on the electoral situation, the situation of human rights, and the freedom of expression in the country, respectively). Finally, each chapter presents the strengths and weaknesses of international assistance and some specific conclusions and recommendations related to the specific topic of the chapter. The final chapter of the report will present the primary general recommendations for international donors.
II. International Electoral Assistance

2.1 Introduction

The Peace Accords signed on January 16, 1992 between the government of El Salvador and the Farabundo Martí Front for National Liberation (FMLN) not only laid the foundation for bringing almost twelve years of armed conflict to an end, but also led to the creation of a new regulatory and institutional framework for holding elections, through amendments to the Constitution and the passage of a new Electoral Code in December of that same year.

Additionally, the United Nations Observer Mission in El Salvador (ONUSAL), a key player in the peace process, included an Electoral Division with a mandate for verifying the first post-war presidential, legislative, and municipal elections, all held in March 1994. Through a variety of assistance programs, the international community provided support at that time and continues to provide support for strengthening Salvadoran electoral institutions and processes. Some significant programs have included: strengthening the Supreme Electoral Tribunal (TSE), fostering civil society participation in electoral projects, supporting the Board of Vigilance and observer teams, and sponsoring training for elections personnel.

Section 2 of this chapter describes the electoral context, putting particular emphasis on the constitutional and legal framework, elections administration, the non-governmental organizations (NGOs) that have had the most influence on the electoral process, and on Salvadoran electoral history beginning in the 1980s. Section 3 looks at the electoral assistance received by El Salvador following the signing of the Peace Accords in 1992. It assesses the effects of aid on the strengthening of local institutional systems and on the structure and functioning of electoral agencies. Section 3 includes a) the role of the ONUSAL Electoral Division, and b) an assessment of other subsequent activities up through the 2003 legislative and municipal elections. Section 4 summarizes the main strengths and weaknesses in international electoral assistance, assessing factors related to the national context and to donor agencies that have facilitated or hindered the impact of this assistance. Section 5 identifies lessons and suggestions regarding the future of electoral assistance, including concrete recommendations for strengthening its contribution to the effective development of electoral organizations and to revitalizing the democratic process.

2.2 Electoral Context

The 1981-1991 civil war in El Salvador never kept elections from being held. These elections, although free and secret with high voter turnout, lacked the backing of a significant portion of the Salvadoran population, primarily represented by or tied to the armed rebel forces (FMLN) or groups opposing the regime, including the Democratic Revolutionary Front (FDR), among others.

In 1981, the junta that took over the government following the 1979 coup d'état against General Romero set up a Central Council on Elections (CCE) that was in charge of holding elections for deputies to the parliament (Constituent Assembly) on March 28, 1982. That same year, pursuant to the
Pact of Apaneca, signed by representatives of organized political parties and the Armed Forces, Dr. Álvaro Magaña assumed control of the self-styled Government of National Unity. As part of the transition to a government elected at the polls, it was agreed that presidential elections would be held in March 1984 and that a new Constitution would be enacted before that.

Electoral History

On January 4, 1982, the CCE convened elections for deputies to the Constituent Assembly, to be held on March 28 of the same year. These elections were limited by the lack of participation of the insurgent groups and the population they represented.

Finally, a new Constitution was enacted on December 15, 1983. It established that political parties would be the sole means for coming to power, and it raised proportional representation to the constitutional level for the formation of a Legislative Assembly.

Elections in the 1980s

Following the enactment of the new Constitution, the CCE called for elections for president and vice president. These were held on March 25, 1984, according to the Transitory Electoral Law.

In accordance with the new Constitution, since no candidate won more than 50% of the vote, there needed to be a runoff election between the two leading candidates in the first election. The second election was held on May 6, 1984 and the winner was José Napoleón Duarte, with 752,625 votes (55.59%). (Electoral data from 1982-2003 is found in Annex 3.) He was elected to serve a five-year term.

On March 31, 1985, elections were held for deputies and municipal councils. These were decisively influenced by the 1984 outcome, leading the Christian Democratic Party to a significant victory.

New elections for deputies and municipal councils were held on March 20, 1988, however, and demonstrated the eroding support for the incumbent party after years of civil war and the loss of hope for attaining peace.

In March 1989, Alfredo Félix Cristiani of the ARENA party won by absolute majority (53.82%) on the first round. He took office on June 1, 1989.

Municipal and legislative elections were held again in March 1991, and for the first time leftist groups from the FDR that had been supporting the FMLN formed the Democratic Convergence (CD) party and took part. They attained a very low percentage of the votes.

Elections Following the Peace Accords

During the period following the Peace Accords, elections have been carried out in a normal manner, although there has been a marked trend toward absenteeism or abstention. In addition, many parties have formed and then dissolved.

In 1994, the “elections of the century” were held. They were called this because the FMLN was participating for the first time and it was believed that this marked the true beginning of democratic consolidation. In addition, 1994 was a year in which the President and Vice President, deputies to the Legislative Assembly and Central American Parliament, and municipal councils were all up for election. No party won a majority, necessitating a second election, which was won by ARENA, with Armando Calderón Sol becoming president. The FMLN placed second as a political power, far above the other political parties.
In 1997, elections were held for deputies to the Legislative Assembly and for municipal councils. A trend began in these elections towards fewer votes for the incumbent party and a greater number of votes for opposition parties. As a result, the ruling party (ARENA) has been forced to make legislative alliances with minority parties.

Presidential elections were held again in 1999, however, and the ARENA party won on the first round with over 50% of the vote. President Francisco Flores was elected.

In 2000, elections were held for deputies to the Legislative Assembly and Central American Parliament and for municipal councils. For the first time, the FMLN surpassed ARENA, winning a greater number of deputy seats.

Annex 3 shows election results from 1982 through 2003. However, it was impossible to determine precisely the electoral rolls for 1984, 1985, 1988 and 1989. The TSE no longer has the registers for these years as they were destroyed in the final offensive of the FMLN in 1989.

The 2004 presidential elections were a surprise. Though the governing party, ARENA, had finished 2% behind the FMLN in the 2003 local elections, it catapulted back and won the presidential elections on the first round, besting the FMLN by 22% of the votes. Voter turnout was massive with almost 70% of registered voters participating.

The huge turnout of the electorate was provoked, in part, by the fear that an FMLN victory would bring a radical and unpredictable change in the system. This fear was fed by an energetic campaign and massive spending on the part of the ARENA party, which adeptly portrayed the elections as a choice between a system of freedom and democracy and a system that would take away individual freedoms and put hard-fought democratic gains at risk. On the other hand, growing socioeconomic difficulties, a loss of faith in the governing party after 15 years in office, and broad citizen dissatisfaction also pushed thousands of voters to the ballot boxes to vote for change. In the end, fear of change toward a risky and unknown direction won out over much of the population’s need and desire for change.

**Constitutional and Legal Framework**

At the time of the Peace Accords, the electoral system was regulated by the 1983 Constitution and the 1988 Electoral Code. These stipulated: that suffrage was a political right and responsibility; that the vote was free, direct, equal, and secret; and that in order to vote, one had to be registered on an Electoral Roll, drawn up independently by the CCE.

The signing of the Peace Accords also brought on the obligation to amend the Constitution regarding elections. These changes went into effect in November 1991 and a new Electoral Code was enacted in 1993.

The most significant reforms made to the Constitution were the following:

- Right to monitor the Electoral Roll;
- Bans on ministers of religion, military personnel, and police officers running for office;
- Creation of the Supreme Electoral Tribunal (TSE)

The new 1993 Electoral Code was passed by Legislative Decree No. 417 on December 14, 1993. This Code kept the same structure as the prior one, but built upon the constitutional provisions that were
reformed following the Peace Accords. It has also undergone further modification including significant changes regarding political parties. Following are some of the Code’s latest provisions:

- Creation of the national electoral district;
- Establishment of the National Register of Natural Persons (RNPN), under the authority of the TSE;
- Extensive regulation of the Supreme Electoral Tribunal;
- Stipulation of the Supreme Electoral Tribunal as the highest authority in electoral affairs;
- Establishment of the Electoral Counsel (Fiscal Electoral);
- An increase in the number of members needed to form a political party;
- An increase in the minimum number of votes a party has to get to avoid elimination;
- Inclusion and regulation of elections for deputies to the Central American Parliament;
- Political party funding keeps pace with inflation;
- Personal and registration requirements for candidates remain the same.

**Electoral System**

Voting in El Salvador is by complete slate, meaning that only the emblems or flags of the parties running appear on the ballot, not the names or photographs of the candidates. By marking an emblem, the elector is automatically voting for all the candidates nominated by the respective party. Different electoral systems are used according to the offices up for election.

**Election of the President and Vice President of the Republic**

An absolute majority is required by law; the candidate must have 50% plus one of the valid votes to win the election. In the event none of the parties reaches this, a second election is held the following month, but only between the two parties that won the greatest number of votes in the first election.

**Election of Deputies to the Legislative Assembly and the Central American Parliament**

The Constitution stipulates that these elections use a proportional representation system, but does not go into detail about this. The Electoral Code, in expanding upon the constitutional principle, adopts the Hare System of quotas and surpluses. The total number of valid votes cast is divided by the number of seats up for election, giving the number of votes necessary for a deputy to be elected; this is called the electoral quota. A party obtains the number of deputy slots equal to the number of electoral quotas they have obtained from the sum of all votes cast in their favor. This calculation will almost never result in all the seats being adjudicated, and usually, various parties still have surpluses. Under this system, any seats not yet allocated are assigned to the parties with the largest surpluses.

Distribution is by departmental electoral district and by national electoral district. In small departmental electoral districts with a small number of deputy slots, the system enables the third-place party to win deputy seats in greater proportion than the other small parties. In the more populous departments and for the national electoral district, however, other small parties do get some deputies.

On May 22, 2002, the Supreme Court ruled that current law does not adequately implement the principle of proportional representation mandated by the Constitution, because the number of deputies assigned by the Electoral Code to each department is not based on population. Since each department’s population is different, the result is that the votes have different weight. The ruling stated that the Electoral Code should be amended, redistributing the deputies by department based on the
population of each department. Previously, the law had allocated the number of deputies to be elected in each department (3, 4, 5, 6 and 16) but as the population in each department changed over time, the number of votes needed to elect a deputy varied from department to department.

The Court’s judgment was leaked and made public by the media before the Legislative Assembly was legally served notice. With the intention of thwarting the Court’s judgment, the Assembly issued, on the same date, May 22, 2002, amendments to Articles 12 and 13 of the Electoral Code, establishing a relationship between the departments’ population and the number of deputies to be elected. This did little to change the number of deputies per department, except that La Libertad gained one deputy and Santa Ana lost one. When the judgment ruling the law unconstitutional was served on the Assembly, it no longer had any effect because it referred to provisions that were no longer in force on the date of the judgment’s service and publication. It became necessary to file another suit alleging unconstitutionality, which would then take another one or two years to be decided. The Legislative Decree containing the amendment to the Electoral Code was, in fact, newly challenged as being unconstitutional. As expected, the judgment ruling that it was unconstitutional was issued on April 8, 2003, after the March 2003 elections.

The Legislative Assembly must now pass new rules regulating the principle of proportional representation based on population, giving the same weight to each vote cast. These rules are expected in time for the 2006 elections.

*Municipal Council Elections*

For municipal council elections, a simple majority is used; the party with the most votes wins the entire municipal council. Given that abstentions are greater than 50%, a victory with 55% of the valid votes means, at most, a victory given by 25% of the voting population. In many cases, however, the results are even lower, resulting in cases where a party wins and gains control of the entire local government when they really represent only 10% of the voting population.

Even though several agreements have been signed between the parties to reform the Electoral Code and implement minority representation on municipal councils, it has been impossible up until now to get these reforms through the Legislative Assembly. The system definitely hinders the representative nature of local government and the consolidation of the democratic system.

As will be seen further ahead, a number of changes and reforms, such as residential voting, minority representation on municipal councils, equal weight of the vote, and the creation of electoral districts for nominating candidates for Legislative Assembly deputies and municipal councils have not yet been agreed upon or passed. On the contrary, when the Constitutional Division of the Supreme Court declared recently that current law does not adequately implement the principle of proportional representation mandated by the Constitution, the Legislative Assembly thwarted that decision and openly opposed the idea of equal weight for each vote.

Neither have positive steps been taken for democratizing the political parties internally. Currently all the organization and operations of political parties are left up to the provisions established in their own by-laws.

Furthermore, the current balance of power in the Legislative Assembly means that substantial advances in the process of democratizing the electoral process are not foreseeable. There was even opposition to residential voting, and the only thing that was passed in the second half of 2003 was that citizens would vote with a Universal Identity Document (DUI) instead of the voter card for the 2004 elections.
Finally, it is important to highlight that though the military had often interfered in past elections, supporting fraud in favor of the parties they supported, this no longer occurs in El Salvador.

**Electoral Administration**

The Constitution establishes the Supreme Electoral Tribunal (TSE) as the highest electoral authority. According to the Electoral Code, the TSE must:

- Guarantee the right of citizens and political parties to organize and participate in politics;
- Convene, organize, run, and monitor elections;
- Count the votes;
- Maintain the Electoral Rolls;
- Authorize and register political parties and coalitions, as well as to eliminate, sanction and suspend them;
- Register candidates for publicly elected office;
- Appoint the members of the Departmental and Municipal Election Boards and the Polling Station Boards, and supervise their activities;
- Postpone all or part of the elections in the case of serious public disturbances;
- Hear and resolve every action, exemption, petition, appeal or incident in the electoral process and the election results, to the exclusion of all other authorities.

**Departmental Election Boards**

Departmental Election Boards have jurisdiction over their respective departments; they have a maximum of six members, one proposed by each of the contending parties or coalitions, with membership guaranteed for the leading parties that ran in the previous election. Their main duties are to:

- Swear in and install the Municipal Election Boards;
- Supervise, monitor and ensure the proper functioning of the election and of the election boards in their respective department;
- Be informed of the resolutions of the Municipal Election Boards.

**Municipal Election Boards**

Municipal Election Boards are formed in the same way as the departmental boards, but in the respective municipalities. Their duties are to:

- Swear in and install the Polling Station Boards;
- Deliver the materials and paperwork required for the election to the Polling Station Boards and receive from them the acts and documentation they turn in when the polls close;
- Supervise, monitor, and ensure the proper functioning of the election and of the election boards in their respective municipality;
- Hear and resolve any situation that interferes with the normal course of voting.
Polling Station Boards

Polling Station Boards are formed and function for a specific election. They have a minimum of three and a maximum of five members, one proposed by each contending party. The Polling Station Boards receive the election materials, supervise and facilitate citizen voting, and count the votes at the close of the polls, all of which is documented in an official record, which is returned along with the materials to the respective Municipal Election Board.

Board of Vigilance

The Board of Vigilance has one representative nominated by each legally registered political party. Its function is to provide constant supervision and monitoring of the electoral process. It has the authority to monitor the Data Processing Center, to propose measures, to access registers, etc.

Non-Governmental Organizations

Few NGOs are devoted to accompanying and collaborating on modernization of the electoral system, citizen participation, electoral training, etc. Some of the most important ones are:

Consortium of Civic Education NGOs of El Salvador (CoCívica)

CoCívica is an alliance of five NGOs that, since 1993, have coordinated actions to promote citizen participation, civic electoral education, and capacity building for civil society in order to influence public policies and strengthen social auditing, particularly of elections.\(^{16}\) The member NGOs are: the Salvadoran Institute of Democratic Studies (ISED), the Institute for Legal Studies of El Salvador (IEJES), the Salvadoran Association for Local Development and Democracy (FUNDASPAD), the Social Initiative for Democracy (ISD), and the Road to Peace Association (CAPAZ).

CoCívica’s electoral activities are quite varied and include proposing reforms to the Electoral Code, election monitoring, getting out the vote, electoral training, voter information campaigns, and promoting democratic experience and political culture.

Independent Electoral Reform Movement (MIRE)

MIRE is an NGO known for censuring deputies who do not represent their electorate. They criticize the fact that candidates tend to reflect party leadership positions rather than the opinions of their constituents and that the public plays almost no role in candidates’ nomination. MIRE has made the following proposals for reforming the Constitution and the Electoral Code:

- One deputy elected for each electoral district, where the highest vote getter wins in uninominal districts. They propose the D’Hont method for determining the number of voters for each electoral district;
- Increasing terms for deputies and municipal councils to four years and decreasing the president’s term to four years;
- Separation of powers, leaving the judicial authority with the Supreme Electoral Tribunal and creating a National Electoral Council in charge of organizing and administering elections;

\(^{16}\) Consortium of Civic Education NGOs, San Salvador, July 2003. See also, “Participación, Plataforma Ciudadana y Contraloría Social, La experiencia del Consorcio de ONGs de Educación Cívica de El Salvador, San Salvador, 2003.”
• Magistrates elected to the Supreme Electoral Tribunal (TSE) and the National Electoral Council by the Legislative Assembly by two-thirds majority, independent from political parties;
• Creation of local political parties;
• Various measures aimed at party transparency and operations.

2.3 International Electoral Assistance

In March 1992, the World Bank Consultative Group for El Salvador met in Washington and presented the National Reconstruction Plan for the areas and groups most affected by the war. They also presented the Strengthening Democratic Institutions Program, which contained the financial and technical requirements for the creation and strengthening of democratic institutions, including the TSE. This program included modernizing the electoral roll in order to facilitate registration, issuance of documents, and voting by citizens.

In August 1992, at the request of the government of El Salvador, the United Nations Development Program (UNDP) approved a preparatory assistance project, through which a first technical mission was sent to provide suggestions to the TSE about how to modernize the electoral system. As seen ahead, a second mission took place in April 1993 to define the reference framework and concept for operations of the ONUSAL Electoral Division for observing the 1994 elections.

Several months later, in August 1993, UNDP approved the “Electoral Process Assistance” project, for US$943,330. This project had the immediate objectives of getting the TSE up to speed so it could comply with the timeline set for registering voters by November 19, 1993, support the process of issuing voter cards, and open the campaign on November 20.

The resources from this project complemented approximately US$5.6 million in special funds allocated for the 1994 elections. Added to this was a USAID grant of approximately US$5.2 million earmarked for technical assistance, civic electoral training, infrastructure, and election observing. This last project received technical assistance from the Inter-American Institute of Human Rights, through their Center for Electoral Assistance and Promotion (CAPEL).

The “Electoral Process Assistance” project was carried out under the category of “National Execution,” with the TSE as the executing agency. UNDP staff provided technical assistance, and ONUSAL and UNHCR also played supporting roles. The objectives of the five-month project were to:

• Register 673,649 people to vote;
• Issue 259,576 voter cards;
• Train 650 delegates, supervisors, and managers of the Electoral Roll in all 262 municipalities;
• Equip the Electoral Roll’s 150 branch and sub-branch offices and its central office;
• Provide the Board of Vigilance with basic operating infrastructure and its own office;
• Equip the TSE’s electoral training unit.

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17 At the 1992 Consultative Group meeting, the international community made offers of financial support for the two plans presented, for a total of US$800 million.
The experience of the UN Electoral Division, which observed the first post-conflict elections in El Salvador, shows us that support provided by international assistance contributed to guaranteeing the right of citizens to vote and to holding free elections.

The Electoral Division of ONUSAL

Justification
On January 8, 1993, after receiving the approval from the TSE, the Salvadoran government officially requested that the United Nations send observers and verify the presidential, legislative, and municipal elections that were to be held in March 1994. In a letter dated January 26, 1993, the Secretary-General sent the Salvadoran government’s request to the President of the Security Council, making the following comments:

“Given the importance of these elections, which will be the first ones celebrated since the end of the conflict and which should normally constitute the logical culmination of the entire peace process, my intention would be to recommend that the petition of the government of El Salvador be accepted.”

After sending a technical mission to El Salvador from April 18-28, 1993 to study the operating procedures for the units that would eventually be attached to the ONUSAL election observation team, the Secretary-General recommended that the Security Council extend the mandate of ONUSAL and authorize the addition of an electoral division. In its resolution of May 27, 1993, the Security Council then decided to extend the mandate of ONUSAL to include observation of the elections.

Mandate
The mandate of the Electoral Division of ONUSAL was based on the inadequacies identified by the technical mission. The following functions were among those established:

- Verify that the TSE’s decisions are impartial and consistent with the holding of free elections;
- Verify that eligible voters were included in the Electoral Rolls;

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19 Letter dated January 26, 1993 addressed to the President of the Security Council from the Secretary-General in Doc S/25241, of February 4, 1993. Earlier, the Salvadoran government had also requested that the United Nations verify the March 1991 legislative and municipal elections, but on that occasion the Secretary-General did not recommend that the Council agree to the petition, arguing that no agreement existed between the opposing parties (Government – FMLN) regarding the United Nations taking charge of verifying those elections. See also the report of the Secretary-General on the activities aimed at promoting the reaching of a political, negotiated solution to the conflict in El Salvador, in Doc S/22031, of December 21, 1993.

20 This mission verified the grave inadequacies in the Salvadoran electoral register and the difficulties encountered for timely issuance of election documents. The Mission intimated that a broad consensus on the legitimacy of the electoral process would not be reached without modifications in the procedures for registering voters and unless a well thought out campaign was carried out to considerably reduce the number of unregistered voters. Report of the Secretary-General on all aspects of the operations of ONUSAL, in Doc S/25812, May 21, 1993.

21 Security Council resolution relative to broadening the mandate of ONUSAL, in Doc S/RES/832, of May 27, 1993.
Verify the existence of mechanisms to prevent multiple voting;
Verify the unrestricted respect for the freedom of expression, organization, movement and assembly;
Verify that the electors have sufficient knowledge of the mechanisms for participating in the election;
Convey every complaint to the TSE about specific irregularities in the electoral process and corrective measures taken;
Place observers at all polling sites on election day;
Assist the Special Representative of the UN Secretary-General in the preparation of periodic reports to the Secretary-General.

Electoral Division Activities

The Mission engaged in activities before, during, and after the elections. These included technical and logistical support to improve serious inadequacies in the voter registration process, monitoring the election campaign to ensure it would be carried out in accordance with the law, and observing the actual voting process via deployment of 900 observers in the field.

The Electoral Roll

The right of citizens to cast a ballot can be limited by restrictions intrinsic to the individual (age, capacity, nationality, etc.) or by procedural conditions like being registered or having a voter card. Verifying the non-discriminatory nature of these restrictions in a country that went through a long civil war can be an extremely complex operation. Difficulties can arise in identifying potential voters in order to prepare the electoral lists and the delivery of electoral documents.

A pre-election UNDP assessment revealed that 27% of Salvadorans of voting age—about 700,000 persons—did not have a voter card. It was felt that this was due more to the lack of citizen motivation and to the technical inefficiency of the TSE than to deliberate exclusion of certain segments of the population for political reasons.

According to the Electoral Division’s reports, the complexities and voluntary nature of the registration system helped explain low levels of voter registration.

The lack of a true, complete, and exhaustive National Register of Natural Persons (RNPN) at that time led the TSE to request the required supporting documentation (like a copy of the person’s birth certificate) from the municipal governments. This led to enormous backlogs in registrations, because some mayors did not expedite the TSE’s request, or because the registers and files in many town halls had been destroyed during the war. With the help of ONUSAL and USAID, two broad plans were put into practice in the former conflict areas to obtain 360,000 birth records from municipal offices. This

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23 The registration system is governed by Articles 21 to 29 of the Code and begins with potential voters submitting a Request for Registration in the Electoral Roll (SIRE), and then returning one month later to pick up their voter cards. This will be issued when the registration request is supported by the National Register of Natural Persons (RNPN), otherwise registration in the Electoral Roll is denied, and the interested party is to be notified of the decision in a period no greater than thirty days.
provided supporting documentation for almost 60,000 registration requests.\(^{25}\) An exemption decree permitted citizens from these zones to be reissued documents. Timely production of voter cards was also a problem. In many cases, the TSE could not meet the 30-day deadline for delivering the card and, in cases where the card had been denied, the TSE did not always manage to notify the applicant about the grounds for denial. This led to many people traveling pointlessly, sometimes several times and from far away, to pick up their cards.

To overcome difficulties with registration and card issuance, the TSE devoted itself to updating the Electoral Roll, and the Legislative Assembly passed a decree extending the deadline for registration from December 20, 1993 to January 19, 1994. It also hired private computing and photocopying companies and obtained technical aid from ONUSAL to enter data from a significant number of the recovered birth certificates. In this way, it managed to validate many registration requests that had been rejected for lack of a birth certificate. Finally, the TSE, with ONUSAL’s support, held massive weekend voter registration drives around the country.

These efforts and UN assistance succeeded in speeding up the registration process that had started off so slowly. In the first months, the TSE received just 50,000 registration requests out of the estimated 750,000 voting-age citizens who did not have a voter card. In the final months of the registration period, however, some 400,000 new registration requests were received. At the close of registration,

“the total stood at 2,653,872, of which 2,171,805 corresponded to voter registration cards issued in previous years and 482,066 for temporary cards that could be converted into permanent cards once they became available in the distribution centers and were claimed by the individuals concerned. By January 19, voter registration cards had been issued to approximately 80% of the estimated population of voting age.”\(^{26}\)

According to Electoral Division projections, once the temporary cards had been turned into permanent cards, approximately 2,300,000 Salvadorans would appear on the Electoral Roll. This would be equivalent to 85% of the estimated voting-age population.\(^{27}\)

With the closure of voter registration, the ONUSAL Electoral Division cautioned that certain problems remained that would have to be overcome for citizen participation to proceed smoothly. They proposed several measures to address this, summarized here:\(^{28}\)

- Ensure that all temporary cards are properly distributed to the TSE’s municipal offices where the voters stated that they wish to vote, so that each of the voters goes to the expected site.

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\(^{27}\) Ibid. However, there was a difference of almost 400,000 names between Electoral Division projections (2,300,000) and the registration count of 2,653,872 announced at the close of the rolls. This difference could lead to thinking that there was deliberate manipulation, but according to the Electoral Division, other factors explained the disparity: deceased persons whose names had not been removed from the rolls due to inadequacies in the system of death certificates; some 300,000 temporary cards issued since 1991 that had neither been claimed nor converted into permanent cards, but which nevertheless were listed on the rolls; and numerous Salvadorans with voter cards living abroad who would not return to vote.

\(^{28}\) Ibid., p. 6.
(This is of particular importance in municipal elections where a small number of votes can decide the result of the election.)

- Help voters verify whether their registration information is correct and help them file a request for correction if it is not. In this regard, the Electoral Division pointed out that the TSE had not included in its extensive instructions any specific directives on the deadlines for filing requests, and therefore insisted on the need for unambiguous publicity on deadlines.

- Ensure that persons in possession of more than one voter card issued with different identities and obtained by the improper use of officially valid documentation do not vote more than once. To ensure this, appropriate use must be made of the indelible ink at the time of voting.

- Despite the persistence of numerous problems at the closure of the rolls, it is clear that the strategic and logistical support from the Electoral Division, together with collaboration from other institutions, contributed to the Electoral Roll being more inclusive and better screened.

**The Election Campaign**

In El Salvador, the election campaign is governed by the provisions of Title IX, Chapter II of the Electoral Code, which states:

> "Electoral publicity constitutes a right of duly registered Political Parties or Coalitions" (Art. 227).

Other provisions regulate political advertising in the media and convocations of meetings, demonstrations, and rallies (Arts. 229 to 236). Other provisions prohibit using the campaign to damage the morals, honor, or private life of candidates or leaders, whether living or dead (Art. 228, Sec. 4).

Under the auspices of the UN Electoral Division and the TSE, the political parties signed pacts of honor or codes of conduct in every department of the country. In these codes, they reaffirmed the commitment to respect the basic freedoms that political parties should enjoy during the campaign and specifically prohibited acts such as intimidation of and violence against political adversaries. In addition, on March 10, 1994, all the presidential candidates signed a declaration at ONUSAL headquarters in which they rejected violence and committed themselves to respecting the results of the election.29

These codes of conduct helped to noticeably reduce confrontations and violence linked to election-related activity, although a certain amount of political violence and intimidation did persist. During the 1994 campaign, the Electoral Division conveyed 300 complaints to the TSE, 23% of which dealt with arbitrary or illegitimate action by public authorities. The remainder consisted of acts of intimidation (21%), destruction of propaganda materials (18%), aggression (9%), murder (7%) and miscellaneous complaints (22%).30 These events, however, were not considered by the Division to have had enough impact to considerably affect the political climate of the electoral campaign.

The Division also observed political advertising on broadcast media and verified that even though all the parties had made use of most of the media outlets, the ARENA party had always had more

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advertising on radio and television.\textsuperscript{31} This is explained, in part, by the large amount of financial resources that ARENA receives from big business owners, which enables them to finance extensive advertising campaigns beyond the reach of other parties.

In terms of the content of political advertising, the Electoral Division received several complaints from different political parties regarding the use of public resources to promote the governing party. In addition, even though Art. 231 of the Electoral Code bans publicity of government programs in the 30 days prior to the election, the Electoral Division was able to ascertain that several ministers and government agencies continued advertising their own programs just a few days before the elections.\textsuperscript{32}

**Vote Counting and Results**

Observation of the vote counting on March 20, 1994 and verification of the results should have, in principle, allowed the UN Electoral Division to determine whether all citizens listed on the Electoral Roll had been able to freely exercise their right to vote and if the counting of the ballots was done honestly and without fraud. The UN observer teams began by verifying – with the help of a questionnaire written in such a way that it also served as a checklist of the irregularities observed – whether the material conditions necessary for the counting of the vote had been ensured and if voting procedures had been properly followed.

A total of 900 observers of 56 nationalities covered all the polling centers, gathering information on more than 7,000 forms (one for each of the 6,984 polling stations and 355 polling centers). ONUSAL projected the results by making a quick count based on a random sample of 291 polling stations, which enabled the prediction of results two hours after the polls closed.\textsuperscript{33}

The UN Security Council considered that

\begin{quote}
“in general terms, the elections on March 20, 1994 had taken place under adequate conditions of freedom, competitiveness, and security and that, despite serious inadequacies in organization and transparency, the elections could be considered acceptable.”\textsuperscript{34}
\end{quote}

Many of the inadequacies noted by the Electoral Division on election day had already been detected before voting, but were not overcome or improved, despite support from ONUSAL and other international agencies. These were:

a) Insufficient updating and screening of the Electoral Roll – many citizens who had voting cards could not vote because their names were not on the rolls, and others could not vote because another person had voted in their name;


\textsuperscript{33} The results of the three leading parties in the March 20 elections are as follows: ARENA 49.03%, Coalition 24.90%, and PDC 17.87%. No party obtained an absolute majority, and therefore, in observance of Art. 261 of the Electoral Code, a second election was called, in which only the two parties or coalitions that obtained the highest number of votes would participate.

\textsuperscript{34} Declaration of the President of the Security Council concerning the elections held on March 20, 1994, Doc S/PRST/1994/15, April 7, 1994.
b) Insufficient training of the polling station boards and party poll-watchers. The Electoral Division pointed out that the TSE was late in beginning training seminars and in preparing materials for these activities;

c) Excessive concentration of polling stations in few voting centers, which caused serious difficulties for voters trying to find the station where they were to vote. This was particularly true in San Salvador where 30% of the electorate lives.

d) Insufficient public transportation in rural areas, impeding access to voting centers far from people’s homes. Unlike other countries, El Salvador’s polling places are organized according to alphabetical order and not geographical proximity of voters.

In order to overcome these difficulties in the second round, the Electoral Division suggested that the Electoral Code be reformed by the Legislative Assembly to allow voter cards to be issued between the first and second rounds. It also proposed an increase in the number of voting centers, especially in San Salvador, and strengthening training for electoral personnel, along with informing the electorate about the location of polling centers.

In addition, the Division recommended a review of the Electoral Roll and proposed that citizens who had problems in the first election be able to present their complaints during a period no shorter than one week. Furthermore, it requested that the TSE take measures against advertising that violated the Electoral Code or that was contrary to the spirit of conciliation in the Peace Accords. Finally, the Division proposed that the TSE conduct a massive public education campaign to emphasize the deadlines for reviewing the electoral roll and issuing voter cards, inform voters on the location of voting centers and urge voters to participate in the second round.

The Electoral Division verified that the second round was conducted without major incident and that, in spite of some difficulties, was better organized than the first round. According to the Division, “the irregularities in the elections ... did not constitute ballot-rigging and thus had no impact on the election results as a whole.”

Nevertheless, the Division criticized the TSE for its attitude toward the FMLN’s challenging of results in 37 municipalities. While the TSE accepted the appeals filed by the FMLN, it resolved that these appeals were not valid without examining the evidence. In the end, the UN Electoral Division offered its support to overcome the problems still pending with electoral organization and for overhauling the electoral system.

The analysis of this section leads to a generally positive assessment of the electoral assistance provided by the United Nations to El Salvador during the early post-war years.

From UN-Monitored Elections to an Autonomous Electoral System

In the second round of the 1994 elections, the presidential candidates signed an agreement to promote the reforms necessary for implementing proposals made by various UN missions and other

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35 The second round was held on April 24, with the following results: ARENA, 818,264 votes (68.35%) and the Coalition, 378,980 votes (31.65%). See also Annex 3.
37 Ibid.
international agencies with regard to elections. Since then, the international community has supported many activities geared to putting these proposals into practice. As this writing, however, many of them have yet to be implemented.

In November 1995, the UNDP supported a US$163,912 project aimed at supporting the program activities of the agencies involved in the electoral reform process. Based on recommendations from the UN mission and on the priorities set by electoral authorities, the project stressed the urgent need to organize and screen the Electoral Roll, implement the Universal Identity Document (DUI) to replace the voter card and the personal identity document, and implement residential voting. The project document also states that some of the earlier reforms could be implemented to be ready for the 1997 elections.

The document also urged that project proposals be prepared for the modernization of the Salvadoran electoral system and for the design of an electoral cartographic framework. These are both preconditions for the implementation of residential voting.

Board of Vigilance’s report on political parties following the 1997 elections is revealing in terms of the persistence of the problems identified earlier by the UN technical missions. These problems were supposed to have been resolved through the projects implemented with aid from international agencies.

The 1997 Elections and the Board of Vigilance Report

In order to fulfill its role as auditor of the elections and electoral agencies, the Board of Vigilance prepared a proposal called ‘Project to Audit the 1997 Elections.’ This proposal was submitted to UNDP for its consideration and led to the signing of an agreement between the Board of Vigilance, the TSE, and the Salvadoran government. The project was funded for US$245,813, and the main donor countries were Great Britain, Norway, Denmark and Sweden.

Following its audit of the 1997 elections, the Board of Vigilance issued a report with these findings:

- 10.7% of persons listed on electoral rolls could not exercise their right to vote;
- Tardiness was a problem in the process of forming, training, and induction of transitory electoral boards;
- Delays occurred in the installation of many polling stations;
- Some citizens with voting cards were not on the electoral roll;
- Electoral advertising was circulating on election day;
- There were irregularities in Polling Station Board membership. (In cities such as San Miguel, some parties obtained credentials belonging to other parties, which enabled them to get two or more seats on a Polling Station Board);
- Delays occurred in computer processing of results, which meant that certain preliminary data was not available until three days after the elections.

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40 Ibid.
41 UNDP, ELS/96/L08/A/3L/99, “Apoyo al Plan de Fiscalización y Vigilancia del Proceso Electoral.”
At the end of its report, the Board of Vigilance made a number of recommendations that concurred closely with proposals made by UN technical missions in prior elections.

Among its recommendations, the Board mentioned the need to defend the TSE’s independence and asked that no reforms be made to the Electoral Code after elections have been called. It also proposed that, for the purpose of complying with the principles of good administration, the administrative and judicial functions of the TSE should be separated, leaving the administration of electoral justice, the control and registration of the parties, and supervision of the preparation of the Electoral Roll to the judicial area. Finally, the recommendations call for the Executive to appoint the National Registrar and once the National Registry of Natural Persons is created, to merge it with the family status register, in order to be able to issue the DUI. All of this would be accompanied by the necessary legal reforms that would harmonize the electoral system.

Annex 4 reviews the status of all these proposals, which concur with those written by the different UN technical missions and other international organizations. These proposals include:

- Screening the Electoral Roll;
- Implementing use of DUI and residential voting;
- Internal modernization of the TSE;
- Legal reforms.

For a broad overview of electoral assistance projects supported by the international community, see Annex 5.

Assistance to Electoral NGOs

In recent years, CoCívica has implemented different projects with support and assistance from countries such as Sweden, the Netherlands, Norway, Finland, Denmark, Canada, and the United States, and from international NGOs.

Currently CoCívica is engaged in carrying out a campaign that will help reduce voter absenteeism, calculated at 59% in the March 2003 elections. This includes a get-out-the-vote campaign and an educational effort targeted at young people to encourage them to vote. The consortium has also been backing implementation of residential voting and the DUI.

The consortium’s “Citizenship 2000” project is one of its most noteworthy. Its objectives are to help overcome voter apathy and absenteeism through strengthening citizen participation in municipalities and advocating for the modernization and democratization of the electoral system. Citizenship 2000 has five components:

a) Accompanying local participation efforts through citizen committees;
b) Voter registration, identity card issuance and residential voting;
c) Constructive monitoring of electoral reforms and processes;
d) Training for electoral agency members (25,000 Polling Station Board members and 1,200 Municipal Electoral Board members);
e) Election observing and voter information, involving setting up information centers in 75 municipalities and training 100 observers.
A project evaluation was positive. Mentioned among the project’s biggest achievements are having promoted and facilitated voter registration for many people and monitoring the TSE. However, in spite of the consortium’s efforts, electoral institution building and electoral system reforms (including the Electoral Code) are still slow. It also points out that absenteeism and mistrust by the electorate continue. This does not mean that the activities of CoCívica have not been appropriate, because external factors exist, like lack of interest and mistrust of political institutions, that influence voter turnout and make it hard for the reform process to move quickly. This external evaluation of Citizenship 2000 recommends that CoCívica work on becoming more professional, impartial and highly trained, in order to increase its credibility to a level that will enable them to more effectively advocate with authority on civic and electoral matters.

The Citizenship 2000 project was jointly financed by a pool of institutions from Sweden, the Netherlands, and Norway, and by PRODECA. The total project amount, including local matching funds, was US$2,902,640.

MIRE has been very involved in advancing its proposals for reforming the electoral system. It has held forums to explain its ideas, it has lobbied the Legislative Assembly, and it will keep up the pressure through forums planned for the future. MIRE has received aid from the CREA Program of USAID on two occasions, once for US$100,000 and the other for US$50,000.

2.4 Strengths and Weaknesses of International Electoral Assistance

Following is a summary of the main strengths and weaknesses of international electoral assistance.

**Strengths**

The main achievement of electoral assistance in El Salvador is having facilitated the first post-conflict elections, held in 1994, following more than 12 years of a civil war that left deep rifts in Salvadoran society and a climate of violence and fear not conducive to holding free and fair elections.

**Electoral Verification**

The field presence of the United Nations Mission (ONUSAL) and its Electoral Division undoubtedly contributed to generating greater public trust. The observers from the UN and other international agencies made it possible for post-conflict elections to take place without serious incident or ballot rigging. Verification facilitated follow-up to the construction of the Electoral Roll and to helping ensure the campaign was in observance of current law. Under the auspices of the UN, the political parties signed pacts of honor and held joint meetings to discuss the course of the campaign, generating an atmosphere conducive to dialogue and consensus building.

**Technical Assistance**

Technical assistance definitely contributed to improving in-country capacity before and after the 1994 elections. During the elections, the Electoral Division provided technical and logistical assistance for creating the Electoral Roll by aiding with computerized data processing, which contributed, together with upgrading the equipment, to improving the voter registration process. The UN technical team had a very useful and active role in this phase of the electoral process, providing legal and logistical

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advice, elections equipment and supplies, and by helping out in different ways with organizing the election, reorganizing the electoral roll, and informing and orienting voters.

Post-election electoral assistance provided by various countries and institutions led to the strengthening of electoral agencies, especially the TSE. Training plans for the TSE were implemented with UNDP support, and services were provided for software development. Additional support was given for providing external auditing services and for drafting the TSE’s modernization program. Other agencies, such as the Board of Vigilance, have been strengthened and have gained greater independence because of external assistance. Conversations with the executive director of the Board of Vigilance verified that the Board now has a permanent office as a result of international assistance through UNDP (before it only met during election time). The Board has benefited from training programs, computer equipment, and other resources that have improved their capacity to interact with and monitor the TSE.

Civil society organizations have also improved their capacity to monitor and follow-up on electoral processes. One example of this is the plan to monitor the TSE’s execution of the electoral calendar, carried out by CoCívica in the past three general elections. In addition, with international assistance, civil society organizations have been able to engage in public election observation, voter support, and training activities, and have strengthened their advocacy to win approval and implementation of electoral reforms.

Weaknesses

There are limits inherent in assistance programs, but more important are the obstacles resulting from the national context surrounding the elections. Following the 1994 elections, it was shown that despite international aid, the TSE had great difficulty meeting the deadlines set for voter registration, ensuring adequate training for polling station boards and party poll-watchers, and for adequately informing the public about electoral procedures and deadlines, polling places, etc. Added to these problems—which are a reflection of the TSE’s institutional weakness—are other factors related to the lack of political will for investigating citizen complaints. One example is the inadequate response of the TSE to FMLN challenges to some of the 1994 election results. On that occasion, the TSE’s attitude was cause for severe criticism from the UN Electoral Division.

At present, the lack of political will for moving forward with electoral reforms, the weak institutional framework in electoral agencies, and the excessive involvement of political parties in electoral processes comprise serious barriers that must be dealt with by external assistance programs that aim to strengthen the democratic process in El Salvador.

2.5 Lessons and Recommendations

In order to make suggestions for improving the efficacy and impact of international electoral assistance in El Salvador, it is necessary to review existing obstacles to the democratization process and the projects and alternatives that can optimize future contributions:

- Political parties exert considerable influence on electoral agencies. It is therefore imperative that the TSE be depoliticized and its structures and administrative methods modernized;
- The current design of the electoral system does not facilitate or encourage voting;
• While one of the main causes of the absenteeism in El Salvador is the lack of confidence in the political parties, it is also true that electoral procedures do not improve matters. The complexity of the voter registration process, lack of adequate public information and orientation services, the alphabetical rather than residential location of voting centers, and the concentration of voting centers in urban areas are all factors that discourage higher voter turnout;

• Political representation at the municipal level does not enjoy much public support. Contrary to the values of democracy and pluralism, the rights and adequate representation of political minorities are not recognized at this level;

• To make matters worse, there are no ongoing electoral education programs that could contribute to strengthening democratic culture. Long lasting actions are needed that go beyond the elections and contribute to raising the public’s educational level;

• Finally, international assistance should contribute to making a detailed study of the current democratization process in El Salvador, in order to define which of the many competing priorities should be funded. In the short term, support should prioritize implementing specific, detailed projects with realistic products and with operational criteria that facilitate their eventual evaluation. Such projects may include:

1) Modernizing the TSE
The TSE needs to be restructured, adapting it to the new institutional framework and electoral system as a whole. The various operational processes must be redesigned in order to increase flexibility, quality of service and user satisfaction. TSE reform should ensure that the agency acquires full judicial, administrative, and financial independence on electoral matters so that it is not subordinate to any branch of government, as stipulated in the Electoral Code.

2) Reforming the Electoral Framework
A new legal framework needs to be designed to help overcome the various problems in the jurisdictional area. A commission is charged with developing a project proposal to:

1) thoroughly review and assess current electoral law;
2) draft new laws based on the Electoral Code, the Electoral Procedures Law, and the Law to Regulate Political Parties. International assistance agencies should support advocacy to promote the passage and implementation of electoral reforms. In addition, the public must be informed of the content of the various reforms through public forums and debates and mass media campaigns.

3) Implementation of Residential Voting
This project is one of the most important initiatives since it will bring the ballot box closer to the voter and enable effective screening of the Electoral Roll.

4) Civil Society Support
Civil society organizations that work on election monitoring and follow-up should received substantial support. Assistance should be given to election observation processes, and
ongoing civic education programs should be designed to familiarize the public with the reforms and the new electoral provisions as they are implemented.
III. International Human Rights Assistance

3.1 Introduction

This chapter focuses on the international assistance El Salvador has received in the area of human rights and assesses the impact of this assistance on building local capacity for democratizing the country in a post-conflict environment.

The chapter starts with an overview of the human rights situation at the time of the 1992 Peace Accords, focusing especially on civil liberties and political rights. It also includes observations on constitutional and legal reforms and on the codification of civil liberties and political rights. The Salvadoran human rights protection system and governmental and non-governmental human rights agencies are also described and assessed. The second part of the chapter deals with international assistance—its nature, types, amounts, and goals and objectives—and gives several examples of human rights assistance in the public and private sectors. The third part of the chapter assesses the impact of international assistance on building in-country capacity, as well as its effect on democratization and on the prevention of conflicts. Another section assesses the factors that have influenced the effectiveness of this assistance, along with its strengths and weaknesses. The chapter closes with a presentation of the main conclusions, challenges, and relevant recommendations. In the broad field of human rights, this study concentrates on civil liberties and political rights.

3.2 Human Rights Context

Overview at the Time of the Peace Accords

At the time the Peace Accords were signed, El Salvador was experiencing a system of political, economic and social exclusion as well as serious and systematic human rights violations.

International and local human rights organizations have attributed the most serious human rights violations of the period of conflict to the security forces (National Police, National Guard and Treasury Police), the Armed Forces (Air Force, Navy and Army), and to paramilitary organizations, including civil defense groups and “death squads,” whose activities were shielded by the tolerance or acquiescence of the police and Armed Forces.

Rule of law did not exist for several reasons: the lack of will and capacity to enforce it; the lack of judicial independence and the absence of effective agencies for the internal control of the State; the lack of the effective observance of human rights and basic freedoms; and of course, the public administration’s failure to submit to any control over the legality of its actions. All this gave rise to impunity in El Salvador and benefited the civilian and military leaders who were involved in war crimes and crimes against humanity.

43 For the status of human rights in El Salvador before and after the signing of the Peace Accords, refer to the report “Evaluation of the Peace Process,” presented by the United Nations Secretary-General at the UN General Assembly on July 1, 1997.
Status of Civil Liberties and Political Rights

In terms of civil liberties and political rights the following characteristics prevailed:

- No freedom of thought, expression, opinion or press existed in the country; neither was there freedom of belief, association or assembly, or the freedom to publicly demonstrate. Other basic civil rights were also denied, such as those related to judicial due process (swift, effective access to justice; independent, impartial judges and courts; effective legal protection; reparations for victims, etc.). Grave, systematic violations of fundamental civil rights were occurring. These included extra-judicial, summary and arbitrary executions; forced disappearances of persons; torture; cruel, inhumane and denigrating treatment; individual and mass illegal, arbitrary detentions; forced displacement of civilians; and illegal searches of homes and workplaces. Fundamental political rights were not recognized and political pluralism and ideological tolerance were nonexistent. Repression and persecution of opposition political organizations were at extremely high levels, and there were no free and fair elections for choosing legislative and executive authorities. Thus, the structural conditions necessary for civil liberties and political rights did not exist in El Salvador before the Peace Accords;

- The country was run by the military, which, through successive coups, remained in power illegitimately, protected by a right-wing party—the Party of National Conciliation (PCN)—which still exists legally and participates in elections;

- This arbitrary, excessive exercise of power by the Armed Forces eventually closed off every venue for democratic participation and pluralistic thinking and led to the banning of groups considered to be “anarchistic or contrary to democracy,” including some political parties as well as political, trade, student, and labor organizations. This state of affairs left no opening for opinions and actions other than those defined as “official” and created conditions conducive to the emergence of armed guerrilla movements. Armed opposition was a response, not only to violent governmental repression, but also to the persecution of political leaders and activists, peasants, religious workers, students, and other groups.

All of these factors had a decisive influence over El Salvador’s political and military conflict which lasted nearly twelve years.

Constitutional and Legal Reforms

Political and civil rights are recognized in El Salvador’s 1983 Constitution, in international conventions on human rights, and in the country’s secondary legislation.

Before the war began, in 1979, important conventions on human rights and international humanitarian law were passed and ratified.\footnote{International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; American Convention on Human Rights; and the four Geneva Conventions of 12 August 1949, and their Protocols Additional of 1977. At that time the authority of international human rights protection agencies had not been recognized, with the exception of the Inter-American Commission on Human Rights (IACHR) of the Organisation of American States (OAS).}
A new Constitution was approved during the war, but the regulation of fundamental rights and liberties was left inadequate and incomplete.\textsuperscript{45} In the framework of the Peace Accords, the Constitution was reformed for the first time in the history of the country, in accordance with procedures set forth in the Constitution itself. This made it possible to implement reforms on human rights, the judicial system, the electoral system, the Armed Forces, and public security. These include:

- Creation of the office of the Human Rights Ombudsman and the National Civilian Police (PNC);
- Dismantling of old police forces;
- Establishment of a new procedure for selecting and appointing Supreme Court magistrates and other judges;
- Allocation of a minimum of 6\% of the annual governmental budget for the judicial sector;
- Reform of the Supreme Electoral Tribunal (TSE), guaranteeing the participation of political parties in its membership;
- Reforms to the Armed Forces, abolishing its function as a human rights protection institution, placing it under civilian constitutional authority, and transferring its authority over the police forces to a government ministry;
- Reform of provisions for a state of emergency, eliminating the possibility for civilians to be judged by military courts;
- The constitutional reforms did not include aspects related to human rights per se, nor did they address economic and social rights.

The Peace Accords led to modernizing and updating the secondary laws in important areas related to human rights, including the following: family law, criminal law and procedure, juvenile offender law, the environment, rights of women, rights of children, political rights, etc.\textsuperscript{46}

At the time of the Peace Accords, minorities, especially indigenous peoples, were ignored in public policy, legislation, and governmental human rights measures. The 1983 Constitution had affirmed the principle that all persons are equal under the law, for purposes of their civil rights, but did not go any further. The Peace Accords established equal treatment for minorities in general terms. However, there is still no special law in the country for the protection of indigenous minorities, although certain conventions are in force, such as the Convention of the United Nations on the Elimination of All Forms of Racial Discrimination, and other related conventions of the International Labor Organization (ILO).

\textsuperscript{45} The current Constitution of El Salvador was approved on November 20, 1983 and entered into force on December 20, 1983.

\textsuperscript{46} In criminal law for example, due process protections were introduced for the first time in the country; victims’ rights were explicitly recognized and victims were granted more and greater opportunities for participation in proceedings; new mechanisms for the control and protection of detainees were established; new offenses or crimes were added related to human rights violations, such as the crimes of torture and forced disappearance; new corrections laws were adopted, in concordance with international law; the rights and protection of children were much more broadly detailed, in accordance with international instruments; new laws were passed for the protection of women, especially against domestic violence, etc.
Human Rights Organizations and Institutions

Before the war began, only a few non-governmental human rights organizations existed; the main ones were linked to the Catholic Church or the National University, and others were created by citizen initiative. There was no broad, sustained international assistance in this area, and there were no civil society organizations working on the rights of women and gender issues. The most important human rights NGOs were the Socorro Jurídico Office of the Archdiocese of San Salvador, created by Archbishop Oscar Arnulfo Romero, and the Non-governmental Human Rights Commission (CDHES). These institutions still exist in El Salvador, although their names have changed along with their operating structure. They were created to provide legal aid to low income people, to provide legal defense for the first political prisoners during the 1970s, and to give legal advice to peasant farmers and other sectors on various social and family matters. They also investigated human rights violations and reported the first cases before international agencies of the United Nations system. Their work was an urgent reaction in response to prevailing conditions. They did not work directly in education and promotion, rather on activities related to investigations, legal defense, and national and international denunciations. Following the assassination of Archbishop Romero, Socorro Jurídico became Socorro Jurídico Cristiano and received Jesuit support. It later became known as Tutela Legal, and it still exists today with support from the Archdiocese.

The human rights work of the Catholic Church has been fundamental to the pacification and political democratization of the country during and after the armed conflict. For almost 30 years this work has included legal aid and pastoral work related to human rights.

Before the peace agreements were signed, NGOs had very limited infrastructure and means for human rights work. Their capacity was insufficient and their technology minimal. They lacked professional staff trained in human rights. Far from receiving any official political support, civil society organizations were the object of a policy of systematic persecution that targeted human rights activists and promoters. Many human rights workers were disappeared, murdered, detained, or threatened, or were forced into exile for security reasons. Organizations had to adopt security measures and train staff outside the country to specialize in human rights.

No institutions had been created within the government specifically for promoting and protecting human rights until the war began in 1981. At that point, the Armed Forces set up an internal office in charge of monitoring the human rights situation within the framework of the war, but its activities were used to improve the image of the Armed Forces and conceal serious war crimes committed by their members. In a similar way, the President of El Salvador established a Governmental Human Rights Commission charged with safeguarding respect for human rights and gathering information on incidents and violations committed by both sides. However, this commission politicized its human rights work and covered up serious crimes attributed to the military and police forces. It ended up being an apologist for the arbitrary, illegal actions of law enforcement agents against the civilian population.

Functioning of the Human Rights “System”

Before the war began, the Salvadoran government lacked a clearly defined, structured system for the protection of human rights, and there were no governmental human rights institutions.

During the war and before the Peace Accords were signed, there was no official agency in the country charged with the promotion and protection of human rights, except for the two human rights
offices previously mentioned. These internal agencies in the Armed Forces and President’s Office lacked any semblance of operational independence. Under the 1983 Constitution, the Armed Forces had the mandate of ensuring the defense of human rights. Neither the judicial system nor the office of the Attorney General performed an effective role in protecting human rights. Finally, there were no defined, sustainable local initiatives for fostering democracy through the defense of human rights. It was not until after the Peace Accords were signed in 1992 that the State institutional framework for human rights was organized, primarily through the creation of the office of the Human Rights Ombudsman.

3.3 International Human Rights Assistance

Objectives of Human Rights Assistance

After the Peace Accords were signed, there was a noticeable increase in technical and financial assistance from the international community to aid human rights work, for the short, medium, and long term. Assistance was targeted at strengthening governmental and non-governmental institutional capacity.

Technical and financial international assistance programs and projects implemented after the signing of the Peace Accords have had multiple objectives, including the following:

- Establish the Human Rights Division and the Electoral Division of the UN Observer Mission in El Salvador (ONUSAL), disseminate knowledge of its mandate and functions, and support educational activities and verification of observance of the Peace Accords;
- Strengthen the human rights capacity of the institutions created by the Peace Accords, including the National Civilian Police (PNC), the Inspectorate General of the PNC, the National Academy of Public Security (ANSP), and the office of the Human Rights Ombudsman (PDDH);
- Work toward sustainability in the area of human rights in public and private institutions;
- Establish and reinforce the office of the Human Rights Ombudsman, promote its growth and geographical coverage, and the dissemination of information about its mandate and its community services;
- Strengthen the internal capacity of different State institutions with regard to human rights, including the Ministry of Foreign Relations; Directorate General of Corrections; Armed Forces; Salvadoran Institute for the Development of Women; Salvadoran Institute for the Protection of Minors; Judicial Training School; office of the Attorney General; and others;
- Support modernizing and updating human rights study programs as a cross-cutting theme in different institutions, including the Military Academy; Armed Forces Infantry School (courses for military promotions); School for Commanders and Joint Chiefs of Staff of the Armed Forces; National Academy of Public Security; Ministry of Education (primary and secondary education); and the Judicial Training School;

47 Refer to the mandate of the Human Rights Division of ONUSAL in the “Human Rights Accord,” signed in San José, Costa Rica in July 1990 between the Government of El Salvador and the FMLN.
48 Refer to the mandate and functions of the PDDH in the Constitution of El Salvador (Art. 193) and in the Ley de la Procuraduría para la Defensa de los Derechos Humanos, passed in 1992.
• Strengthen the organizational capacity of various Salvadoran human rights institutions in the areas of strategic planning and institutional development. Strengthen relationships and inter-institutional coordination on human rights;
• Strengthen NGO capacity in the areas of human rights education and promotion; strategies for the public dissemination of information; popular legal education; development of educational and methodological materials, etc;
• Support the promotion and distribution of the international human rights instruments operating in the country and knowledge about international agencies and mechanisms for the protection of human rights;
• Advocate for bringing Salvadoran law into agreement with international human rights law;
• Generate national technical capacity in the area of human rights, by supporting training for NGO staff, community outreach workers and educators; youth leaders; municipal legal defense offices; and human rights outreach workers;
• Increase effectiveness of advice, assistance and accompaniment for victims of human rights violations;
• Strengthen NGO and State agency capacity to promote and protect women’s rights. Support gender equity and a gender perspective in the promotion of human rights. Promote the training of technical staff and community outreach workers on women’s rights and children’s rights;
• Gradually eliminate child labor, especially in its worst forms;
• Strengthen local institutional capacity in the area of legal and humanitarian aid to refugee, migrant, displaced and repatriated population groups;
• Support the rehabilitation and reintegration of demobilized ex-combatants and humanitarian aid for disabled war victims;
• Foster alternative means for resolving human rights related conflicts;
• Promote a culture of peace, national reconciliation, and democratic values related to human rights and fundamental liberties. Foster social awareness conducive to a culture of human rights.

Types and Amounts of International Human Rights Assistance

Technical Assistance for Legal and Constitutional Reforms
During the 1980s, as the war still raged, a Commission to Review Salvadoran Legislation (CORELESAL) was formed for the first time within the Salvadoran government. This initiative, which received US assistance, began the review and reform of Salvadoran legislation, especially as related to the judicial sector.

The Human Rights Division of ONUSAL, established in 1991, also provided technical assistance to the Legislative Assembly to support constitutional and legal reforms linked to the Peace Accords and the Truth Commission and to promote ratification of international conventions on human rights and the administration of justice. It had a role in passing constitutional reforms related to human

On international assistance to El Salvador, including human rights assistance, refer to the ‘Informe sobre Cooperación Técnica y Financiera’ by UNDP, which covers the period 1993-1998.
rights, the administration of justice and electoral matters. The Division also advocated for the ratification of important international conventions, as well as acceptance of the authority of international agencies for the protection of human rights, such as the Inter-American Court of Human Rights, the UN Commission on Human Rights and the UN Committee against Torture.

The Office of the United Nations High Commissioner for Human Rights (OHCHR), UNICEF, UNDP, USAID and Spanish foreign assistance also provided technical assistance for legal reforms on various issues such as: human rights, the rights of children, administration of penal justice, electoral reform, etc.

**Assistance for the Truth Commission**

During the 1970s, before the war began, the Supreme Court established a Commission for the Investigation of Missing Persons. Its work was short-term and had no real impact on investigation and punishment in these cases. Rather, NGOs, especially groups with ties to the Catholic Church, were the ones who did the most investigation and reporting during this time. The commission did not receive international assistance or aid.

When the war ended in 1992, the Truth Commission was established as part of the Peace Accords, and made up of three independent international experts appointed by the United Nations. The mandate of the Truth Commission was to investigate the most serious acts of violence that had occurred in the country since 1980—acts which, because of their nature and impact, had caused social unrest and urgently required that the public know the truth about them. This was an unprecedented initiative in the country and led to the investigation and naming of many serious incidents, including war crimes and crimes against humanity. Because of the general amnesties decreed in 1992 and 1993, however, it has not been possible to investigate and punish these crimes and human rights violations through the justice system.

The Truth Commission received significant international political, technical and financial support. Several countries, including the United States, Spain, Colombia, Venezuela and Mexico, provided assistance that was essential to the Salvadoran peace process, by contributing to the United Nations, providing political assistance, or sending specialists in the areas of human rights, public security and criminal investigation to provide advisory services.

The Truth Commission set a precedent for this type of institution in the framework of internal conflicts. In addition, its investigations, conclusions and recommendations contributed to clarifying some of the most heinous war crimes, crimes against humanity and human rights violations committed by both sides in the war. It also brought to light the lack of political will to officially investigate these

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50 New laws were also passed on the same issues, including the Criminal Code, Code of Criminal Procedure, Juvenile Offender Law, Family Code, Corrections Law, Law Against Domestic Violence, and reforms to military legislation and the Electoral Code, among others.


52 The PDDH and international agencies with authority over the country’s human rights situation (such as the Inter-American Human Rights Commission of the OAS and the UN Human Rights Committee) have ruled that the general amnesty passed by the Legislative Assembly and later upheld by the Supreme Court constitutes a dire measure that goes beyond international human rights standards by leaving the victims of the worst crimes and violations committed during the conflict unprotected. The unrestricted nature of the amnesty does not leave room for official clarification of the gravest human rights violations. On the contrary, it constituted an obstacle to knowing the truth and providing reparations and compensation to the victims. In addition, this presented a barrier to national reconciliation.
crimes and punish them in accordance with the domestic and international laws in force. Many Truth Commission recommendations continue to be valid and needed in the present, especially those regarding the judicial system and the public security system.

The Secretary-General of the United Nations, and the international community as a whole, regarded the work of the Truth Commission highly, and its experience left El Salvador important lessons for keeping such grave violations and abuses of authority from happening again.

**Assistance to Specific Law Enforcement Agencies**

After the Peace Accords were signed, several law enforcement agencies were created or renovated, and they received significant technical and financial assistance from the international community. These institutions include the National Civilian Police (PNC), which took the place of the three former police forces; the National Academy of Public Security and the Directorate General of Corrections.

The main objectives of this assistance were to assist the new police institutions in extending their territorial coverage, to strengthen their internal capacity for investigating crime and human rights violations, and to train technical staff and teachers on human rights. The international assistance came from different sources, including UNDP, UNICEF, OHCHR, USAID, and others.

One example of such aid was human rights technical assistance projects implemented by different UN agencies in the PNC and the National Academy of Public Security. To train technical personnel in human rights and specialized policing areas. All PNC commanders were trained on national and international human rights standards, the use of force and firearms in accordance with international law, and on scientific techniques for investigating crimes and human rights violations, along with other topics. In the Academy, teaching staff and police instructors were trained in various areas of human rights, criminal law, criminal procedure, women’s rights and gender issues, and the combat and prevention of juvenile delinquency. The institution also received a large quantity of books and documents to strengthen its library. International assistance agencies also gave priority to improving the infrastructure and equipment of these police agencies.

**Aid to Civil Society Organizations for Education and Research**

A. Beneficiaries

The primary NGOs working on the promotion and defense of human rights in El Salvador at the time of the Peace Accords include:

- **Tutela Legal** office of the Archdiocese of San Salvador (OTLA);
- Human Rights Institute of the University of Central America (IDHUCA);
- Human Rights Commission of El Salvador (CDHES);
- Human Rights Department of the Lutheran Synod;
- Association to Search for Disappeared Children (PRO-BÚSQUEDA);
- Committee of Mothers and Family Members of the Disappeared and Political Assassination Victims (CO-MADRES);
- Committee of Christian Mothers and Family Members for the Defense and Promotion of Human Rights (COMAFAC);
- “Marianela García Villas” Committee of Family Members of Victims of Human Rights Violations (CODEFAM);
- “Madeleine Lagadec” Center for the Promotion of Human Rights (CPDH).
Other private agencies dedicated to legal analysis carry out some human rights-related activities. These include the Institute for Legal Studies (IEJES) and the Foundation for the Study of the Application of Law (FESPAD).

After the signing of the Peace Accords, other NGOs were started and various committees formed for the promotion and defense of human rights, women’s rights and children’s and adolescents’ rights. These initiatives received significant international assistance and include, for example, the municipal human rights defense offices and the offices for the defense of children and youth, set up by the office of the Human Rights Ombudsman with aid from UNICEF, the Scandinavian countries and other places.

Other initiatives have also developed for joint work and partnerships between human rights groups. These have resulted in the formation of the following coordinating groups: Consortium of Human Rights NGOs, Human Rights Working Group for the Historical Memory of El Salvador, National Coalition for the International Criminal Court, and Network of Organizations to Protect the Rights of Children.

In summary, after the signing of the Peace Accords, human rights NGOs have increased in their number, quality, coverage and impact as a result of international technical and financial support and assistance.

B. Major Donors
The primary sources of international technical and financial assistance in the area of human rights, from both governmental and non-governmental agencies include: European Union; the Netherlands; Swedish International Development Co-operation Agency (SIDA); Norwegian Agency for Development Co-operation (NORAD); Denmark’s Development Assistance (DANIDA); Canadian International Development Agency (CIDA); Agencia Española de Cooperación Internacional (AECI); United States Agency for International Development (USAID); the governments of Switzerland, Korea, Italy, Japan, Australia and Chile; United Nations Development Program (UNDP); The Office of the United Nations High Commissioner for Human Rights (OHCHR); United Nations High Commissioner for Refugees (UNHCR); United Nations Children’s Fund (UNICEF); other UN agencies: UNIFEM, ILO-IPECL, UNESCO, FAO, WFP, PAHO/WHO; DIAKONÍA (Sweden); ICCO, NOVIB (Netherlands); Spanish NGOs; Save the Children Sweden (previously called Radda Barnen); Save the Children United Kingdom; Heinrich Böll Foundation (Germany); Konrad Adenauer Foundation (Germany); Friedrich-Ebert-Stiftung (FES) (Germany); Ford Foundation; the Catholic Church (France, England, Germany); Consejería de Proyectos; Inter-American Institute of Human Rights; CARE; Catholic Relief Services (CRS); and other assistance agencies.

C. International Assistance
The following are illustrative examples of technical and financial assistance projects and programs implemented by several non-governmental human rights organizations. In some cases the exact amount of aid was not available.

*Human Rights Commission of El Salvador—CDHES*

The Human Rights Commission of El Salvador (CDHES) is one of the oldest human rights NGOs in El Salvador. Founded in the 1970s, throughout its existence it has undergone internal crises that have imperiled its survival.
After engaging in important work investigating and denouncing human rights violations before and during the war (substantially supported by international assistance) the Commission has now shrunk to being a small institution that works on promotion and popular education. This is due to the smaller amount of resources and assistance that it currently receives, as well as to internal political problems and problems related to the anomalous administration of resources. The CDHES is an example of an institution that succeeded in doing human rights advocacy work during the country’s most difficult moments thanks to international assistance. Because of the improper meddling of political groups in its internal affairs, however, it wound up weakened and virtually unable to advocate for or have an impact on human rights in the present. Annex 6 comprises a number of assistance projects currently executed by CDHES.

**Human Rights Institute of the University of Central America (IDHUCA)**

The Human Rights Institute of the University of Central America (IDHUCA) is one of the country’s leading human rights organizations. It started during the war, and continues to be involved today in significant activities, projects and programs related to the national and international promotion, education and defense of human rights. IDHUCA has operated on university funds and with aid from international assistance agencies. It has built its capacity to influence public human rights policy and has worked on very specific cases that have become emblematic of the country’s human rights situation. IDHUCA has advocated for public security policies, the administration of justice and human rights within governmental institutions. It has also investigated, reported and filed cases before judicial and international agencies, setting important precedents for investigating and punishing grave human rights violations and abuses of power against private parties. IDHUCA has made progress in the fight against impunity in the country, with the help of international assistance and political support.

IDHUCA activities target the public sector, government institutions, and other Salvadoran NGOs, providing human rights promotion and legal education. It has also done scientific research on human rights and released many publications on the subject.  

At present, IDHUCA is one of the non-governmental human rights institutions with the greatest credibility, trust and impact in the country and internationally. This is due, to its technical competence, its independent, impartial work, and to international financial assistance and political support. The institution’s location inside one of the region’s most prestigious universities has also been a favorable element for IDHUCA’s institutional development.

Annex 7 contains a table with information about international assistance projects for IDHUCA from 1999 to 2004, totaling US$1.6 million.

**Foundation for the Study of the Application of Law (FESPAD)**

The Foundation for the Study of the Application of Law (FESPAD) began in the late 1980s, before the war ended and, with the help of considerable international assistance, has contributed substantially to

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53 IDHUCA has excelled in the investigation of serious cases of human rights violations and in formally presenting the cases before public courts of justice and international protection agencies. The core issues it has prioritized in the defense of human rights are access to justice; defense of economic, social and cultural rights; defense of migrant workers; and defense of the victims of the 2001 earthquakes. It has also done outstanding work in promotion and popular education, encouraging young people to organize to defend human rights, strengthening the country’s legal and institutional human rights framework, and also providing technical training on human rights in governmental agencies for court personnel and police commanders and officers.

54 Based on an interview with FESPAD official Juan Carlos Sánchez; information about the different projects was made available, though not the amount of funding.
the legal and political changes needed for the protection of human rights. FESPAD has earned a good deal of public and institutional credibility for its objective, technical legal work in various branches of law related to administration of justice, rule of law, promotion of democracy, public security and human rights. It is also one of the few institutions that have become somewhat self-supporting, by charging for legal services, advice, research and training. This has facilitated its internal development and national and international reach.

Since 1992, some of the significant supporters of FESPAD have been SIDA, NORAD, and DANIDA. Their international assistance includes financial aid, accompaniment and political institutional support. For specific projects, see Annex 6.

Over the past 15 years, FESPAD has had an impact on human rights and other related areas. This has been possible because of the international technical and financial assistance received, and because of the high technical level and dedication of the staff. Its work has been highly considered by the Salvadoran public and institutions, though at the same time, like IDHUCA, it has been the target of harassment, attacks, and threats for its work in confronting government institutions. While these attacks have not reached the levels experienced during the war, they nevertheless reveal a certain degree of intolerance in the country for the human rights work of certain NGOs.

**Consortium of Human Rights NGOs (Consortio)**

The Consortium of Human Rights NGOs was formed in 1996 and has the following member organizations: Human Rights Commission of El Salvador (CDHES), “Madeleine Lagadec” Center for the Promotion of Human Rights (CPDH), Human Rights Department of the Lutheran SINDO; and the Committee of Family Members of the Victims of Human Rights Violations (CODEFAM).

The Consortium has the following strategic themes for its human rights work: public dissemination of information, education and training, and human rights advocacy.

Over the past two decades, efforts had been made to get the various human rights NGOs to coordinate their work. This kind of integration was never effective, however, until the NGO consortium was formed. Thanks to international assistance, the Consortium has been successful in coordinating promotion and education work. It has yet to make the same progress in the defense and protection of human rights.

The member institutions of the Consortium still have not obtained legal status, even though they have been working in the country for several years. This is due to bureaucratic red tape in the State agency responsible for granting legal authorization to private associations, and to the lack of effective follow-up by the NGOs.

Some of the largest projects executed by the Consortium and supported by international assistance are listed in Annex 6.

The European Union is currently the only international agency supporting the Consortium. All other assistance agencies have ended their support in El Salvador in order to respond to needs in other countries and regions around the world. Consortium member agencies have observed that El Salvador has ceased to be a priority for international human rights assistance, despite the importance of continuing to strengthen the peace process which has been considered example for the world.

International assistance agencies should examine the possibility of future support and assistance for the formation and coordination of human rights NGOs in specific areas, including:

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55 Based on an interview with Mr. Jorge Murcia, National Coordinator of the Consortium of Human Rights NGOs.
1) Popular legal education;
2) The defense of human rights through international agencies,
3) The defense of fundamental economic and social rights.

Assistance for the Promotion of Women Rights and Gender Equity
Since the signing of the Peace Accords, international assistance has placed greater emphasis on work to promote and defend the rights of women, especially through institution building and public policy advocacy. Thanks to this assistance, new women’s rights NGOs have been created and other NGOs and public institutions in this field have become stronger. Support for women’s rights has focused on protection against violence and discrimination. It has also fostered women’s political participation, access to land ownership, and sexual and reproductive health. Advocacy and sensitization activities on gender and women’s rights have also enjoyed support. International assistance has also contributed to the growing legislation in this area.

International assistance has been decisive in building Salvadoran institutions that work on women’s rights and gender equity issues, especially in recent years. Significant assistance has been provided by the government of the Netherlands and the Dutch agencies HIVOS, NOVIB and ICCO. Agencies and other funding sources in Sweden, Canada, the United States (USAID), and the European Union have also provided aid. Technical assistance has been provided by the UN through UNIFEM, UNICEF, UNDP, OHCHR, and from other agencies including World Food Program, and several Spanish NGOs and agencies.

However, international financial assistance for women’s rights has dropped off in recent years, keeping Salvadoran institutions, especially NGOs, from being able to execute their work plans and activities with the same effectiveness and scope. These institutions lack opportunities for self-support and do not receive government funds.

Human Rights Assistance to State Institutions
During the war, several public institutions received international technical and financial human rights assistance, especially for judicial and legislative reform. US government support through USAID was very important in this period at the beginning of the judicial reform process and was directly tied to the legislative reform process of the Salvadoran Legislation Review Commission (CORELESAL). However, it was not until the signing of the Peace Accords in 1992 when a policy of major technical and financial assistance for different State institutions emerged, particularly related to observance of the Peace Accords and the process of democratization.

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56 These NGOs include the Women’s Center (CEMUJER), Women’s Institute (IMU), Las Dignas, et al. In addition, within the state system, institutions and offices have been created to address women’s issues, including the Salvadoran Institute for Women’s Development (ISDEMU); the Deputy Ombudsman for Women; and the Commission on Women of the Legislative Assembly, et al.

57 New laws have been passed, including the Law against Domestic Violence (1996); the Family Code (1993); and the Family Procedures Act (1994). New crimes have been recognized, outlawing conduct that violates women’s rights in connection with violence and discrimination. There has been support for the ratification of international conventions on the rights of women, including the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women of the OAS (Convention of Belem Do Pará); and the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Nevertheless, there has been resistance from within the government to ratifying the Optional Protocol to CEDAW, adducing that it would legalize abortion in the country. The Inter-American Institute of Human Rights (IIHR) and the United Nations have unsuccessfully supported the ratification of this Protocol.
During the peace process, human rights assistance was targeted to institutional development and internal capacity building in State institutions. Significant aid was given to the justice sector, corrections sector, Armed Forces, police agencies, the public education system, and most particularly, to the office of the Human Rights Ombudsman. These institutions received specialized technical assistance and financial aid for training personnel in human rights, and for engaging in related activities.\(^\text{58}\) Resources were also allocated for infrastructure and equipment and for hiring qualified personnel. Assistance received during this period came from different international public sources, and from some private agencies.\(^\text{59}\)

USAID assistance to different State human rights agencies should be emphasized. For example, USAID has provided financial aid to the office of the Human Rights Ombudsman since its creation in 1992 in order to strengthen the areas of administration (considered to be the institution’s weakest area), information technology, investigation of human rights violations, and for staff training. Reflecting the primary strategic vision for US assistance to the Ombudsman’s office, an emphasis is placed on strengthening the field offices.

USAID has also strengthened municipal capacity in the area of prevention, resolution and mediation of social conflicts, supporting the creation of “Houses of Justice” and basic legal orientation for communities in the country’s interior.\(^\text{60}\) It has also given financial assistance to establish Mediation Centers in the Ministry of Justice and later in the office of the Attorney General, aid that will continue until 2005 with the opening of additional Mediation Centers around the country.

USAID is currently aiding continued judicial reform, supporting in particular, the consolidation of new criminal, criminal procedures, family and juvenile offender laws, passed in the late 1990s. This assistance is being provided in coordination with the judicial sector’s State institutions.

USAID is also providing assistance to several universities to set up legal clinics that provide legal aid and orientation to low income people;\(^\text{61}\) aid for training judges, prosecutors, public counsels and police officers in criminal investigation at the School for Judicial Training; assistance to the National Council on Public Security on crime prevention in high risk communities; and supplying communications equipment to the community police.

AECI has been providing significant technical and financial assistance in the areas of justice and police. The judicial system is receiving aid for a project for basic training of judges implemented by the National Council of the Judiciary through the School for Judicial Training. Technical assistance has been provided for police training through the framework of the European Union; technical assistance has been given to the Fund for Injured Veterans; and at present, a doctoral program in law

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\(^{58}\) These include: fostering institutions for human rights defense that were created during the peace process; promotion and dissemination of human rights, children’s rights, and women’s rights; dissemination of human rights educational materials; library development; submission of periodic official reports on human rights to international agencies; legislative reforms on human rights, and others.

\(^{59}\) Many nations were donors for projects and programs to assist State institutions working on human rights, including the United States, Spain, France and Sweden. There was also assistance from the European Union and the United Nations, through UNDP, UNICEF, ONUSAL and OHCHR. For information on international technical and financial assistance provided directly to the justice sector see: ‘Evaluación de la Cooperación Internacional para El Salvador en materia de Administración de Justicia,’” FESPAD.

\(^{60}\) Since 2000, USAID has supported setting up Houses of Justice in Concepción Batres, Usulután; Candelaria de la Frontera, Santa Ana; and in Suchitoto, Cuscatlán.

\(^{61}\) The following universities have legal clinics organized with help from USAID: Universidad Tecnológica, Universidad Francisco Gaviria, Universidad de Oriente, and Universidad Católica de Occidente.
for public officials is in process, given by Spanish universities in coordination with Salvadoran universities.

Though assistance continues in certain human rights areas, in recent years it has been dropping off noticeably. The indication seems to be that the international community is not inclined to continue supporting El Salvador’s peace and democratization process or institution building process at the same levels it has in the recent past. In some cases, international agencies’ exit strategies have not been adequately planned, as they have not taken into consideration the lack of institutional capacity prevailing still within State institutions like the office of the Human Rights Ombudsman, the National Civilian Police or the justice sector. Even institutions working on the observance of the Peace Accords are seeing an end to their funding. Meanwhile, the Salvadoran government has not committed itself to using State funds to give continuity to human rights program activities.

Office of the Human Rights Ombudsman (PDDH)62
The Office of the Human Rights Ombudsman (PDDH) was created in the framework of the Peace Accords and its existence was legalized through constitutional reforms. It opened its doors in February 1992 with initial support from international assistance agencies, since it did not receive government funds at the time of its establishment. The governmental budget appropriation has always been insufficient, and every fiscal year the funds must be complemented with international aid. As of 2003, there have been four Ombudsmen, each one appointed by the Legislative Assembly for a three-year term.

Start-up funds for the PDDH’s activities were provided in 1992 by several countries—Canada, Spain, Netherlands, France and the European Union—and administered by UNDP.63 Since its creation, different countries and private agencies have aided the PDDH’s initial establishment, its deployment and development. The primary sources for international assistance, in addition to those already listed, include Sweden, Norway, Denmark, United Kingdom, Ireland, Australia and the United States. There has also been aid from ONUSAL, UNDP, UNESCO, UNHCR, PRODERE, IIHR, Radda Barnen (Sweden), and technical assistance from the offices of the ombudsmen of Spain, Netherlands, Sweden, Mexico, Guatemala, Argentina and Colombia.

Since it began, the PDDH has received significant political, technical and financial assistance and accompaniment from the international community. This has dropped off noticeably in the last five years, due not only to the almost universal policy of the international community to terminate or sharply reduce human rights assistance to El Salvador, but also to a loss of confidence on the part of the international community in the administration and political management of the PDDH. Political parties have attempted to influence the internal workings of the PDDH. In fact, several parties successfully influenced the appointment of the ombudsman and the hiring of program and administrative staff who lack the qualifications and impartiality necessary for human rights work. The high degree of political polarization around the appointment of the ombudsman has hampered the PDDH’s effective consolidation and operation.

International assistance to the PDDH has generally flowed smoothly, been strictly controlled and quite effective. Donors have made payments in a timely fashion. This aid has been essential to the PDDH’s start-up and growth. Unfortunately, however, there has been no ongoing policy of close

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62 For information on international assistance received by the office of the Human Rights Ombudsman from its start until 2002, refer to the institution’s annual reports (Informes de Labores), published every year since 1992.
63 The international start-up fund for the PDDH was for US$145,000.
coordination and communication between the various donors of the institution, resulting in duplication of projects and an under-utilization of resources. In some cases, the distribution and execution of technical and financial assistance in the PDDH has been less than optimal. For example, the UNDP administered and executed aid for the internal strengthening of the PDDH, but because of the donor agency’s lack of technical perspective and experience with human rights issues, the expected results were not attained.

International assistance to the office of the ombudsman has been aimed at its establishment, organization, internal administration, and equipment as well as technical strengthening of staff and expansion of the PDDH’s reach nationwide. Many projects and activities with very specific goals have been carried out.64

Since it began, the PDDH has had an internal office for proposal writing and management of international assistance projects. Despite this, there is no complete record with specific, current data on all the technical and financial assistance received throughout its 12 years of existence. The UNDP office in San Salvador does keep a record of international assistance in the country. It has recorded data on assistance to the PDDH, but only up until 1998. Therefore, it is only possible to make an estimate of the aggregate amount of assistance.

According to UNDP records, for example, from 1992 to 1998, the office of the Human Rights Ombudsman received aid from several countries, including the following: Denmark ($135,420); Norway ($794,714); Norway, Netherlands and Sweden ($1,240,554); Spain ($211,658); UNDP ($144,293); Canada ($409,667); Australia ($10,000); European Union ($1,116,528); and Sweden ($815,516). According to the same source, 59% of this aid was multilateral, 29% was bilateral, and 1.3% came from NGOs.

It is useful to compare international assistance with the Salvadoran government’s allocation during this period: in 1995 the PDDH received State funding of US$3.24 million, and in 1996, US$3.41 million. At that time the institution already had 400 staff members nationwide and was experiencing growing public demand and greater public confidence.

The next information we have is for the 2001-2004 period. USAID granted US$100,000 for strengthening the departmental offices, for office equipment and for training; the Netherlands donated US$500,000 for dissemination of information and training programs; the European Union contributed US$40,000 for educational materials; and Save the Children has aided with strengthening promotion activities by the youth units.

Thanks to international assistance and the political and moral support of the international community, the PDDH was successful in contending with several crises related to non-compliance with the Peace Accords and with serious public security situations. It was also able to assume greater responsibility when international verification of the Peace Accords officially concluded. From this point on the PDDH would have to play a more active and vital role in verifying and monitoring

64 The following have been priorities for international assistance: publicizing the PDDH’s mandate; protection and guidance of persons; intake and processing of individual complaints; monitoring and investigation of human rights violations; staff training on human rights; project consultation; impact on legislative development; building the PDDH’s reputation; education and promotion of human rights; creation of the Deputy Ombudsman offices; creation of the Human Rights Institute; institutional participation on the Central American Council of Ombudsmen; strengthening the corrections system; protection of the rights of women and children; electoral processes; observance of the Peace Accords; public security; verification of judicial due process; aid to migrant groups and displaced war victims; and finally, attention to economic, social, and cultural rights, as well as other areas of importance.
conditions in El Salvador. In spite of some of the institutional shortcomings already mentioned, these circumstances lead to a positive assessment of the contribution of the international community to the PDDH. Without this assistance the institution would not have grown as much or had the impact it has had on Salvadoran life, compared to other State institutions.

International assistance has been beneficial for the human rights work of the PDDH and for its institutional relationships with various government and non-governmental sectors, and it has strengthened the capacity of the PDDH in different thematic areas. The following areas have had particular impact: work on policies for citizen security and states of emergency in the country; monitoring democratic and electoral processes; aid to demobilized combatants; reintegration for ex-combatants; medical treatment for people disabled in the war; aid for refugees and displaced persons; support for disabled persons; conflicts regarding environmental protection; the health sector crisis related to possible privatization of medical services; support for women’s programs; training on violence against women; training for women prisoners; women’s civic participation; and support for new legislation on women’s rights and on juvenile offenders in criminal law. There has also been considerable strengthening of the work for rights of the elderly; for disabled, displaced and street children; care for child amputees; implementation of the Convention on the Rights of the Child; child war victims; elimination of child labor; strengthening of youth participation in society; and the recovery of birth records, among others. Annex 8 shows the main international assistance projects executed by the PDDH.

Despite this substantial contribution from international assistance agencies, the PDDH still has not become fully consolidated. Currently it does not even have an adequate strategic plan to ensure effective, rapid functioning. Even so, the institution has managed to recover and maintain a certain acceptable level of citizen and international confidence. This is crucial for getting the international community to redirect technical and financial assistance and prioritize assistance to helping strengthen and consolidate the internal operations of the PDDH in the administrative and programmatic areas.

3.4 Impact of Human Rights Assistance

General Impact

International human rights assistance has been crucial to the establishment and operations of local NGOs dedicated to the promotion and defense of human rights. It has also contributed, though to a lesser extent, to introducing and developing the human rights issue in State institutions.

The most significant impact of international assistance has been in the following areas:

- Continuity of NGO human rights work, by supporting the creation of new NGOs and assisting already existing organizations;
- Strengthening and broadening the human rights social movement;
- Greater NGO capacity to respond to the demand for popular education and for the defense of human rights nationally and internationally;
- Greater levels of awareness of the State’s national and international responsibilities in connection with human rights;
- Greater levels of knowledge and awareness of human rights issues in the country;
Public and private sector employees with higher levels of human rights training, as compared to other countries in the region.

**Impact on Capacity Building**

Some of the most significant impact on local capacity building has been made in the training and continuing education of human rights professionals in State institutions (office of the Human Rights Ombudsman, office of the Attorney General, the Armed Forces, PNC, National Academy of Public Security, School for Judicial Training, Salvodoran Institute for the Protection of Minors, the Directorate General of Corrections, among others); and in training, continuing education, and specialization in the promotion and defense of human rights for professionals in NGOs and other social organizations working on human rights, women’s rights, and children’s rights.

Nevertheless, many NGOs rely on external funding for infrastructure, hiring personnel, and carrying out program activities. With the notable decrease in international human rights assistance in recent years and the conclusion of several projects with no chance for extension, the capacity of these organizations for self-sustainability has become quite fragile. It appears that donor agencies are terminating or cutting back aid without seriously considering the fact that most NGOs—with the exception of those linked to churches or educational institutions—lack the capacity to survive on their own resources.

**Impact of Assistance on Other Areas**

**Human Rights and Elections**

International assistance in this area has benefited the Consortium of NGOs for Civic Education (CoCívica), which is responsible for verifying municipal, legislative, and presidential elections and providing public education and promotion activities around elections. In this context, international assistance has contributed to promoting a culture of ideological tolerance and political pluralism in Salvadoran society.

**Human Rights and the Media**

Some international assistance to human rights NGOs has gone toward media work and has contributed to fostering a culture of public freedoms and the right to participation. It has also generated conditions that have allowed journalists to have more access to information in the public interest. This access is still seriously limited, however, due to lack of political will on the part of public authorities.

Particularly important work has been done in building social organizations’ capacity to monitor corruption by exercising the right to information, the right of public access to the media, and the media’s right to access to information sources in the public interest.

**Effects on Democratization and Prevention of Conflicts**

**Improvement in Civil Liberties and Political Rights**

International assistance has contributed substantially to building public and private institutional capacity for monitoring the status of civil and political rights, particularly as related to citizen security, democratic liberties, and judicial due process. This has not been true regarding economic, social, and cultural rights. International assistance has been quite weak here with the exception of certain social areas such as women’s and children’s rights.
One of the most important challenges facing the international community in El Salvador is to achieve higher levels of human development and political and social stability through technical and financial assistance in this fundamental area of human rights. Assistance should be aimed more strategically at strengthening public and private institutions that promote, defend, and guarantee basic economic and social rights, as well as the agencies that supervise and oversee the institutions linked to these rights. One specific example is that of the institutions that are monitoring corruption in the country, particularly in cases related to health, education, housing and employment policies, and consumer protection.

Institutionalization of Civil Liberties and Political Rights in the Political System

The positive changes made in the country over the last decade on civil rights and democratic liberties have meant clear progress toward political democracy.

Citizen participation in the political concerns of El Salvador is much greater now than in the past, even though there is a high percentage of voter abstention. Now there are political parties with different ideological tendencies, there is a greater level of public and party participation, and there is greater space for exercising public liberties. Though they continue to be represented less than men in the public arena, women are progressively gaining space, not just in political decision-making through the ballot box, but also in their level of political party, governmental, and social representation. International assistance has had a vital influence over these political and democratic changes in the country.

3.5 Strengths and Weaknesses of International Human Rights Assistance

Weaknesses

The main weaknesses or shortcomings in assistance are the following:

- Inadequate identification of the country’s human rights needs (not in all cases);
- Lack of information about other assistance agencies or donors in the human rights area and about other past or present programs;
- Lack of communication, information sharing, and effective coordination between donors;\textsuperscript{65}
- Duplication of efforts and resources due to lack of communication;
- Shortcomings in identifying the groups most in need of international assistance;
- Lack of effective follow-up and verification of the assistance processes;
- Lack of reliable indicators to measure the impact of assistance in most of the projects;
- Shortcomings in the evaluation process and in the measurement of outcomes;
- Lack of a strategic vision for building local capacity and achieving project sustainability;
- Lack of an adequate strategy for phasing out assistance in the country (has not fostered or ensured continuity in activities with State funding).

\textsuperscript{65} To some extent, UNDP has fostered, for example, contact and communication between the different agencies assisting the PDDH, but it has not attained the formation of a consolidated international assistance group.
**Strengths**

The main strengths and accomplishments of human rights assistance in El Salvador include:

- Essential and timely assistance to institutions created through the Peace Accords;
- Accompaniment and political and moral support to strategic institutions such as the office of the Human Rights Ombudsman and to NGOs;
- A positive impact on the process of political democratization in the country, seen in the development of democratic liberties, political rights, legal due process, judicial independence, political pluralism, and ideological tolerance, which correlate to the major advances of the peace process;
- Verification of observance of the Peace Accords;
- Human rights promotion and education in various institutions and social groups;
- Training for local professionals in the public and private sectors;
- Sensitizing the public and raising awareness about human rights in the country.

The international community has been absolutely crucial to the political progress and improvement in human rights achieved in El Salvador over the past twelve years. It is clear, however, that without further international technical and financial assistance, the country could face serious new human rights challenges. These will likely be related to the effective enforcement of basic economic and social rights and to the protection of consumer rights. In addition, new scenarios such as environmental deterioration and the fight against terrorism threaten to reverse universally recognized and accepted basic rights, freedoms, and guarantees. The overall situation demands a more active presence by the international community in countries like El Salvador and will require renewed international assistance to prevent a serious erosion of the structural guarantees of peace and security.

### 3.6 Conclusions and Recommendations

#### Conclusions

The following are the main conclusions of this report regarding international human rights assistance:

- The international community has provided significant technical and financial assistance, originating from diverse governmental and non-governmental sources, toward the goal of achieving greater levels of respect for human rights and fundamental civil and political liberties. This has not been true for economic and social rights, the area that presents the main challenge at present for international assistance in El Salvador;
- The international community has contributed substantially to political democratization in the country and to the stability of the democratic institutions created in the framework of the Peace Accords. Nevertheless, the current situation affecting the office of the Human Rights Ombudsman makes it clear that international assistance, though plentiful since the institution’s creation in 1992, has not managed to have a significant impact on creating a strong internal structure nor on its influence over other State institutions. This component
will be one of the most important and necessary challenges for international assistance in the future;

- International technical and financial assistance has contributed to strengthening governmental and non-governmental human rights organizations. However, existing institutional corruption in the country and the lack of capacity and political will to prevent, fight, and punish it, is one of the main barriers to greater effectiveness in human rights work, and to the viability and impact of international cooperation;

- International human rights assistance has dropped off noticeably in recent years, and an adequate exit strategy for the country appears to be lacking;

- After years of little communication, coordination, and information sharing between international assistance agencies, the new UNDP leadership in El Salvador has recently helped to reactivate such activity. Several thematic and sectoral taskforces have been formed that bring together various donors and assistance agencies;

- The most appropriate students must be selected for the human rights education training courses. This will guarantee that the aid will have a multiplier effect and be sustainable in the future;

- One challenge for effective international assistance for projects is the lack of leadership and effective coordination often seen in the human rights NGOs. International agencies should continue supporting NGO efforts, particularly in the areas of strategic planning, integration and coordination, human rights promotion and popular legal education, defense of women’s and children’s rights, and the defense of economic and social rights. Likewise, the technical capacity for making the best use of international protection systems must be strengthened. International assistance agencies should also consider supporting NGO efforts to preserve the country’s historical memory on human rights.

**Recommendations**

- The international community should continue human rights assistance in El Salvador, especially by using local and international workers to provide technical assistance to the most important institutions and organizations, in order to support further reforms to the judicial, legislative, police, corrections, and human rights systems. The international community needs to continue accompanying and providing follow-up in some form to the institutional and regulatory reforms agreed upon for consolidating peace and democracy;

- The international community should continue providing financial assistance to human rights NGOs, especially those that are accountable, that do not have their own means of support, and that are working with current issues and key sectors for human rights;

- The international community should help governmental and non-governmental human rights institutions develop greater contact and dialogue with each other. Agencies like the UNDP could help foster increased communication, information sharing, and coordination;

- International assistance agencies should help encourage the State to implement an inter-institutional working strategy for the preparation, execution, monitoring and evaluation of human rights public policy. Such inter-institutional and inter-sectoral work on policy implementation could be facilitated in areas related to women, children, the environment, health, juvenile corrections or delinquency, and others;
• International assistance should encourage the government to dialogue and share information with civil society through human rights NGOs and related organizations in order to better implement their public policy advocacy strategy on human rights. Improving institutional coordination will help NGOs strengthen their communication, coordination, and cooperation as well;

• International assistance agencies should develop a more effective strategy for impacting and influencing human rights public policy. Some suggestions to consider are the following:

a) Gather in-depth information about the country’s human rights situation, using reliable, independent, impartial sources. A comprehensive assessment should be made of the national, regional, and local situation including institutional conditions;
b) Size up the most significant needs for technical and financial assistance beforehand;
c) Thoroughly investigate what assistance is already being provided or prepared for the country in order to prevent duplicating aid or spreading it too thin;
d) Identify the principal local spokespeople and most reliable governmental and non-governmental human rights institutions;
e) Set priorities for the thematic areas of human rights assistance, taking into account the country and region’s current and future situation;
f) Introduce added value to better guarantee the sustainability of human rights work in governmental and non-governmental sectors;
g) Seek concrete, official commitments in order to guarantee continuity of actions through the use of local resources;
h) Provide effective monitoring of project execution, using impact and outcome indicators and a process of mid-term and final evaluations;
i) Prepare and implement appropriate exit strategies to guarantee as much as possible the continuity of the most important activities through local actors with their own resources and with the assistance of trained local professionals.

Finally, given the lack of precise, current data and information on international human rights assistance in El Salvador, it would be quite helpful if UNDP would update, organize, and complete this information, recognizing that in recent months the UNDP has shown a significant positive shift in its institutional political leadership.
IV. International Media Assistance

4.1 Introduction

The signing of the Peace Accords paved the way for an environment of political openness and liberalization in El Salvador. This encouraged greater freedom of expression and spurred the media to undergo a transition of its own, becoming more critical and pluralistic.

As described in earlier chapters, El Salvador received a great deal of aid from the international community in the post-war period. This assistance was primarily targeted to reconstruction, poverty relief, sanitation, health, and education, but a portion also contributed to initiating and consolidating the democratization process. Contributions were made toward writing new laws, modernizing independent institutions, and holding elections.

By comparison, freedom of the press and the role of the media in the democratic transition have had only a marginal place on the assistance agenda of donor agencies. Neither have the Salvadoran governments over the past decade prioritized strengthening the media as a way to help consolidate democracy.

Few studies have been done on the relationship between international assistance agencies, the media, and democratization processes in Central America—and in El Salvador in particular. This chapter seeks to identify certain links or causal relationships between these three variables, to determine the impact of international assistance on the development of the media, and to look at the role of the media in democratic transition and consolidation. Unfortunately, there are gaps in the available information about the evolution of the press in El Salvador and the international aid allocated to media work. In addition, staff turnover and the relocation of certain assistance agencies have hampered access to the information that does exist. Despite these limitations, a large amount of information has been gathered, organized, and analyzed.

This chapter is divided into six sections, starting with this introduction. The second section provides an overview of the media as it was at the time of the Peace Accords. Section three identifies international assistance initiatives related to the media, grouped by specific media outlets, television programs, media-related NGOs, journalists, and the legal and institutional telecommunications framework. The fourth section offers an analytical assessment of the impact of international assistance on specific media and media-related organizations, and then on the media sector as a whole. Section five identifies some of the strengths and weaknesses of international media assistance. Finally, section six sets out several lessons and recommendations for the country and for international donors in order to modernize the media as instruments for the consolidation of democracy in El Salvador.
4.2. Context

Size, Reach, and Ownership of Print and Broadcast Media at the Time of the Peace Accords.66

At the time of the Peace Accords (1991-1992), the media included around 15 newspapers (daily, weekly, and monthly), 81 radio stations, and 7 television stations.

Newspapers
The most important newspapers were La Prensa Gráfica and El Diario de Hoy; the first with an average of 128,000 copies a day and the second with 95,000, both averaging 80 pages. Both circulated nationwide and could be found abroad (Central America, California, Washington, DC). Other daily newspapers were smaller and produced fewer copies; these included La Noticia (26,000 copies, 28 pages) and the afternoon papers, Diario Latino and El Mundo (both with 15,500 copies and 24 and 38 pages respectively). These three newspapers circulated nationwide. The Diario Latino and El Mundo could be found in certain places in the United States, Spain, Honduras, and Mexico. All were printed in tabloid format.

The weekly papers in the country included: the News Gazette (7,000 copies, 28 pages), available in San Salvador and certain places in the United States, England, Italy, Germany, and Central America; El País (6,000 copies, 12 pages), available exclusively in Santa Ana; and Orientación (9,000 copies, 12 pages), published by the Archdiocese of San Salvador and available in San Salvador, Rome, Milan, London, and other cities.

Biweekly papers were more limited in number of copies, size, and reach: the Periódico de Oriente (3,000 copies, 16 pages) circulated in the eastern region; El Universitario, published by the National University (8,000 copies, 12 pages) was available in San Salvador and departmental seats; Alternativa (10,000 copies, 12 pages) could be found in San Salvador, places in California, and cities including Berlin, Rome, and Paris; Indice (3,000 copies, 24 pages) was distributed in San Salvador, Arab countries, Germany, France, and Italy; El Faro de Sonsonate (4,000 copies, 16 pages) and the Prensa Tecleña (5,000 copies, 24 pages) both had regional circulation, the first only in the department of Sonsonate and the second in the department of La Libertad; La República (12,000 copies, 20 pages) could only be found in San Salvador and Washington, DC.

Regarding ownership, most (88%) of the newspapers began as private businesses. Both La Prensa Gráfica and El Diario de Hoy have been, and continue to be, family-owned. The biweekly El Universitario was the only public media outlet.

Radio Stations
According to available information, there were 81 radio stations in 1992, most of which were private (68 stations). Among these, Radio Farabundo Martí and Radio Venceremos were unique in that they began as underground stations linked to the political plan of the FMLN during the armed conflict. Another station worth mentioning is the AM station, La Versátil (Radio YSLV), which was characterized from its beginning by its participatory format with programs aimed primarily at women’s organizations. La Versátil became Radio Cabal in 1994.67

67 Radio Cabal benefited from international assistance, as shall be seen further on in this study.
Only two public radio stations existed: Radio Nacional de El Salvador and Radio Cadena Cuscatlán. Ten stations belonged to institutions, of which the university stations were most prominent: Radio UTEC of the Technological University with local AM coverage and Radio YSUCA of the University of Central America (UCA) with national AM and FM coverage. The other institutional radio stations were religious: the AM stations were Radio La Voz Panamericana (YSAX) of the Catholic Archdiocese, with national coverage; Radio Restauración (Elim Church), with national coverage; Radio El Progreso of the Salvadoran Evangelical Cultural Broadcast Association (ACUDES) and Radio Veritas of the Diocese of Santiago de María. On FM, there were Radio Luz and Radio Ágape, both of the AGAPE Society of El Salvador, and Radio Estéreo Familiar (ACUDES).

Television

The television stations that existed at the time of the Peace Accords belonged to the private sector, with the exception of Channel 10. The countries oldest television stations—Channels 2, 4 and 6—all belonged to the same owner (Boris Eserski) and had national coverage. The other stations—Channels 12, 19 and 25—began in the 1980s during the armed conflict as family-run commercial stations. Channel 12, owned by the Zedán family, began as an intentionally independent channel and fought for openness and freedom of expression in the media. With nationwide coverage, it achieved greater professionalism in its news and greater democratic openness by providing spaces for non-governmental sectors to debate and speak out.68

In summary, an impressive number of media outlets (103), including newspapers, radio, and television stations, were operating in El Salvador in the early 1990s. Fifteen newspapers were in circulation, printing an average of 8,636,750 papers every month. Of this total, however, 77.5% (6,690,000) belonged to the country’s two largest daily papers (La Prensa Gráfica and El Diario de Hoy).69 These papers are preferred by most of the daily readership, while the others, La Noticia, Diario Latino and El Mundo, lag far behind. As for radio stations, 83% were private and 12% belonged to an institution, in most cases a church. Salvadoran TV viewers had many choices, although monopolistic tendencies were already evident, given that 42% of television stations were controlled by one owner. Finally, the limited presence of public radio and television is striking.

Censorship and Self-Censorship

Before the Civil War

The fact that most media outlets were commercial endeavors shaped the content of the information they published and broadcasted. ‘Structural censorship” was already thriving before the 1980s as information disseminated by the media responded to the interests, preferences, and tastes of economically and socially influential groups. As a rule, advertising took up to 70% of the space in the mass-circulation dailies, and the remaining 30% was used for sports, society news, and the entertainment sections.70 Very few columns and editorials mentioned politics, compared with other countries in the region. The three private television stations (Channels 2, 4 and 6) offered only one news program, which was mainly concerned with broadcasting society news (Teleprensa de El Salvador).

Salvador, Channel 2) and demonstrated their lack of interest in providing news related to the socio-political situation in a country on the verge of civil war.\footnote{Salvador (1971)}

Several media outlets emerged during the 1970s (including radio station YSAX and the newspapers, La Crónica del Pueblo and El Independiente), which attempted to report on what was happening in the country. However, in a climate of growing social unrest against the military regime in power, these media outlets were perceived as being from the opposition and, consequently, were subject to governmental and quasi-governmental pressure of all kinds (forced closures, dynamite attacks, and persecution or murders of journalists).\footnote{Several media outlets emerged during the 1970s (including radio station YSAX and the newspapers, La Crónica del Pueblo and El Independiente), which attempted to report on what was happening in the country. However, in a climate of growing social unrest against the military regime in power, these media outlets were perceived as being from the opposition and, consequently, were subject to governmental and quasi-governmental pressure of all kinds (forced closures, dynamite attacks, and persecution or murders of journalists).} In contrast, restrictions on conservative media were not nearly as marked.\footnote{In contrast, restrictions on conservative media were not nearly as marked.}

**During the War (1981-1991)**

Although the right to free speech was expressly and legally recognized by the Salvadoran Constitution, its exercise was systematically violated and virtually forbidden to the majority of the population during the civil war.\footnote{Although the right to free speech was expressly and legally recognized by the Salvadoran Constitution, its exercise was systematically violated and virtually forbidden to the majority of the population during the civil war.} In 1981, martial law was imposed, restricting citizen liberties including the freedom of expression. According to the Truth Commission report,\footnote{De la Locura a la Esperanza, Comisión de la Verdad de El Salvador, March 1993.} the violence originated in a political mind-set that viewed political opponents as subversives or enemies, where anyone who expressed views that differed from the government line ran the risk of being eliminated.

While certain conservative media (e.g. El Diario de Hoy) took part in spreading this political mind-set, most limited themselves to showing reruns of government ceremonies and programs. Under strict State control and censorship “pressure was taken to such an extreme” that it became impossible to publish or broadcast opinions critical or contrary to those expressed by the regime.\footnote{In the years prior to the civil war, El Salvador ratified three international conventions establishing the right to free speech: the Universal Declaration of Human Rights (Art. 19), the International Covenant on Civil and Political Rights(Art. 19) and the American Convention on Human Rights (Art. 13) (see Annex 2: Laws Governing Freedom of Expression in El Salvador). Although the Salvadoran Constitution does not explicitly establish the right to freedom of the press, Article 6 contains elements that provide grounds for the need.} Media outlets that advocated for alternative information had no choice but to go underground. The two FMLN underground radio stations (Radio Venceremos and Radio Farabundo Martí) began under these circumstances; they were hard to pick up in the capital and carried programming that was essentially propaganda.\footnote{In contrast, restrictions on conservative media were not nearly as marked.}

Nevertheless, the counterinsurgency plan instituted in 1983 and United States demands that the Salvadoran regime present a democratic face, opened up certain spaces for the freedom of expression in general and press freedom in particular.\footnote{Nevertheless, the counterinsurgency plan instituted in 1983 and United States demands that the Salvadoran regime present a democratic face, opened up certain spaces for the freedom of expression in general and press freedom in particular.} New television and radio news shows began that reported on the national situation with a less one-sided, more critical perspective. Among these news programs, “Al día” on Channel 12 stands out for daring to broadcast news “that other media address very conservatively.”\footnote{Nevertheless, the counterinsurgency plan instituted in 1983 and United States demands that the Salvadoran regime present a democratic face, opened up certain spaces for the freedom of expression in general and press freedom in particular.}
**Journalism Standards**

In the pre-war era, Salvadoran journalists were for the most part untrained and non-professional. Aspiring journalists used to get on-the-job training in the newsroom. Additionally, because the pay was low, many journalists were corruptible, receiving favors from State officials or from business interests.

However, the civil war itself created some of the conditions for change. Correspondents arriving from international press agencies and, even more importantly, from large U.S. television networks and newspapers, to cover the armed conflict, “brought with them an entire school for the Salvadoran press.”

Foreign correspondents hired local assistants to whom they taught the tricks of the trade, who then began to report in the U.S. style of hard-hitting, up-to-the-minute articles.

The presence and professionalism of foreign reporters highlighted the need to improve professional journalism training. In the latter years of the war, several local universities started journalism degree programs and hired veteran reporters to help design the programs and teach classes on journalism and related subjects. Unquestionably, the most important lesson learned from foreign correspondents had to do with taking a probing, investigative approach. This style inspired many young Salvadorans graduating from journalism school. During the 1990s, several attempts were made to put this approach into practice with the experiences of the weekly *Primera Plana* and the investigative reporting of *El Diario de Hoy* and *La Prensa Gráfica*.

**The Current Media Situation**

The following assessment compares the status of the media between 1993 and 2001 (years for which information is available).

**Newspapers**

Between 1993 and 2001, the number of print media outlets went from 15 to 18. Although *La Noticia* and *El Faro de Sonsonate* closed, new local papers—all privately owned—opened (*Al día, New Millennium, El Norteno* and *El Heraldo de Oriente*). *El Heraldo de Oriente* belongs to *La Prensa Gráfica*. At the same time, *Más*, a national daily owned by the publisher of *El Diario de Hoy*, began. Of course, the journalistic agenda and editorial line of these two new papers correspond to the interests of *La Prensa Gráfica* and *El Diario de Hoy*.

Data available for 2001 on the national newspapers show the following trends: *La Prensa Gráfica* and *El Diario de Hoy* have consolidated their position as the morning papers with the largest circulation in the country. The first has a daily circulation of 110,000 copies (39% of the market) and the second, 95,000 (34%). The two papers are rivals and compete aggressively. The other newspapers with national distribution lag far behind: *Más* has a daily circulation of 40,000 (14%), *El Mundo*, a circulation of 20,000 (7%) and *Co-Latino* has 15,000 (5%).

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80 Ibid.
La Prensa Gráfica and El Diario de Hoy have increased their average number of pages by 25 and 30 percent respectively. Both have close ties with the country’s powerful economic sectors, especially El Diario de Hoy. This paper is characterized by a position more aligned with the government, while La Prensa Gráfica maintains a more independent posture. The afternoon papers, El Mundo and El Latino, have kept the same average number of pages. In 1994, to prevent closing down due to lack of advertising, El Latino reorganized and became the property of the newspaper workers’ cooperative; since then it has been called Co-Latino and is the only leftist publication in the country. Its readership and distribution network are limited.

La Prensa Gráfica, El Diario de Hoy, El Mundo, and Co-Latino all have electronic editions. There are also three online newspapers: El Faro; Raíces desde El Salvador (weekly), which defines itself as alternative journalism; and Periódico Nuevo Enfoque, which runs news, opinion, and research on El Salvador.

Started and sustained by support from international aid in the 1990s, the weekly Primera Plana, Tendencias magazine, and the newspaper supplements (in La Prensa Gráfica and El Diario de Hoy) were not able to sustain themselves.

Radio Stations
At present, there are close to 150 radio stations in El Salvador (including the 22 community radio stations), signifying an 85% increase since 1992. However, less than one-third of these stations offer news programs or current events. The number of community stations increased by 46%, from 15 in 1996 to 22 in 2003.

Television
The seven stations that existed before the Peace Accords are all still on the air and new stations started up over the course of the 1990s. A monopolistic tendency is evident: the channels with the largest audience—Channels 2, 4 and 6—have joined together as Telecorporación Salvadoreña (TCS), which captures up to 85% of the TV advertising market. According to several analysts, the tight relationship between TCS and the country’s economic and political powers, as well as its considerable influence over the largest advertising agencies enable TCS to pull in the greatest audience and highest receipts. TCS programming is varied with emphasis on entertainment. TCS also controls advertising agencies, public relations firms, cable TV distributors, and magazine publishing companies. TCS owner Boris Eserski has succeeded in exercising “considerable political influence over the Salvadoran system, powerful enough to get the government to change its plans to sell a television frequency to Mexican investors.”

In 1996, Canal 12 (Channel 12) became TV 12 after 75% of its shares were purchased by TV Azteca of Mexico. Although the Chairman-founder and owner of the remaining 25% of the shares has managed to maintain relative autonomy in news broadcasts, special features, and opinion programs,

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87 Information provided by A. Arene, international consultant and political analyst, September 9, 2003; interview with Narciso Castillo.
88 Rockwell and Janus, “Integración de monopolios y la oligarquía de los medios en Centroamérica,” 493.
89 Ibid.
the entertainment programs produced by TV Azteca take up growing air time.\textsuperscript{90} TV 12 “gets its advertising from businesses that do not have access to TCS because of their political leanings.”\textsuperscript{91}

Channel 33 began in 1997; a part of the Technological University of El Salvador (UTEC), it is independent in nature, and its mission is based upon fomenting culture and democracy in El Salvador.

The only State station (Channel 10) is run by the National Council on Culture and the Arts (CONCULTURA), an agency of the Ministry of Education. It describes itself as a primarily cultural station, with most of the programming made up of foreign shows, many of which are old and of poor technical quality.\textsuperscript{92}

Three stations are run by churches and their programming has a religious orientation. Other channels target a primarily young audience, offering foreign entertainment shows (Channels 15 and 19).

Conclusions
An assessment based on the preceding is that the media sector has been adding new print media, new television stations, and especially new radio stations. According to the data available for 2001 and 2002, television has become the primary information source in El Salvador: in 2001, of the 1,474,000 households, 65\% had a radio and 75\% a television set. In 2002, there were 1,522,000 households, of which 58\% had a radio and 77\% a television.\textsuperscript{93} Furthermore, the majority of Salvadorans (58\%) say that television is the most reliable source of information for political news. In contrast, newspapers and radio are seen as unreliable news sources, given the low ratings they receive from the public (7 and 8 percent respectively). Even friends and relatives are felt to be more reliable than radio and newspapers (11\%).\textsuperscript{94}

In our opinion, the contribution of international assistance to the growth of the sector has been limited. Relatively few media outlets have been created and sustained by external aid. Examples in the print media are the weekly Primera Plana and Tendencias magazine, which did not survive. Among the community radio stations, around five still depend on outside aid. Some have closed and others have managed to move on and become self-supporting. Furthermore, the initiative of the three electronic newsletters aimed at a select audience is quite recent. This leads to the conclusion that the changes influenced by international media assistance have been more qualitative (program quality, greater journalistic professionalism) than quantitative.

\textsuperscript{90} Interview with W. Meléndez, Article 19, Submission on El Salvador’s Third Periodic Report to the UN Human Rights Committee, 6.
\textsuperscript{91} Rockwell and Janus, “Integración de monopolios y la oligarquía de los medios en Centroamérica,” 493.
\textsuperscript{92} Information provided by A. Arene; Jorge Escoto, Ojos que sí ven: la televisión en El Salvador, in Comunicación alternativa y sociedad civil, ed. C. Ayala Ramirez, San Salvador, 1997, 96-97.
4.3 International Media Assistance

Introduction

The Peace Accords brought certain changes toward democratizing communication by ending media control and censorship and ending the “regulatory” activity of the National Communications Secretariat of the Presidency over Salvadoran and foreign journalists.\(^9\) The FMLN, as part of its political participation, was extended the right to obtain media operating licenses, to set up appropriate installations (offices, presses, etc.) and to publish paid advertisements in the media.\(^6\)

Without a doubt, the Peace Accords contributed to creating a new political environment more favorable to media performance. This opened the way for older media outlets to make significant changes in the format and content of their news. At the same time, new media outlets appeared that showed a high degree of pluralism in their information. In this new environment, the media began to reflect the political changes occurring in the country, gradually making space for different political currents and ideologies. Several print and broadcast media outlets have been developing news and opinion programs (interviews). They have also instituted new formats such as debates or forums moderated by journalists or renowned professionals, bringing prominent politicians or analysts of differing political orientation face to face to debate current events.\(^7\)

The information gathered about the relationship between the media and international assistance shows that agencies have targeted their aid and efforts in differing directions. Some have supported the production of specific television programs, while others have supported the creation and development of new media outlets. Some have chosen to strengthen several Salvadoran NGOs that work closely with the media sector. Several agencies have focused on improving professional journalistic capabilities, and others have preferred to support legal reform in the telecommunications sector. Following is a more detailed explanation of the different international media assistance efforts in El Salvador.

**Assistance for New Media Outlets**

Several new periodicals started with support from international assistance agencies, including the weekly newspaper *Primera Plana* and the monthly magazine *Tendencias*. The journalistic focus of both publications was a radical departure from the customary ways of doing journalism in a society permeated by authoritarianism and conservatism for decades.

**Primera Plana**

This weekly newspaper started in September 1994 with financial aid from the German Buntstift Foundation (now known as the Heinrich Böll Foundation) and other organizations. The Buntstift Foundation wanted to create a new media outlet through this project, one that would make and strengthen alternative critical opinion in the country. At the time, the prevailing opinion was that the

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\(^9\) The “regulatory” activity of the National Communications Secretariat (SENC) entailed accrediting Salvadoran and foreign journalists (Procedure No. DI-021091, Accreditation of Journalists). In the framework of the Peace Accords, SENC was replaced by the Presidential Information Office. Information provided by Carlos Rosales, Secretario de Comunicaciones, Oficina de Información de la Presidencia de la República, Casa Presidencial, September 9, 2003.


\(^7\) Ibid., 203.
existing conventional media could not be democratized. The Buntstift Foundation was the primary source of aid, giving a grant of US$262,857, while funds from other donors totaled US$28,000. Available information shows that these moneys were invested in different areas such as the project’s initial design, feasibility studies, infrastructure, training, salaries, rent, the newspaper’s layout, travel expenses, and the three-month campaign to launch the weekly. It should be noted that only US$57,142 was invested in infrastructure, the rest being spent on non-recoverable operating expenses. For 1995 and 1996, the Böll Foundation had committed US$457,142 in aid, to be disbursed in quarterly payments of US$57,142. Nevertheless, after publishing for ten months and despite the significant donations, Primera Plana collapsed in July 1995.

**Tendencias Magazine**

Tendencias, the magazine, was published monthly without a break between 1990 and 1997, with the financial and technical assistance from the Danish Agency for Development Assistance (DANIDA) as part of Denmark’s human rights program in Central America, PRODECA. HIVOS, of the Netherlands, was another donor, which provided around US$60,000 in funding every year for seven years. The objective of HIVOS was to create an alternative news source, which could provide a different kind of information to the public.

Tendencias addressed topics related to politics and culture, and the 3,000 copies produced each month were aimed at opinion leaders. The founders (including Executive Director, Roberto Turcios) were supporting democracy in El Salvador, and this was reflected in the magazine’s pluralistic editorial line. Tendencias was a forerunner because it was the first Salvadoran medium in which writers from different political currents expressed opinions on the same subject. However, as the magazine was unable to become a self-supporting product, Tendencias shut down in 1997 after publishing for seven years.

**Newspaper Supplements**

In the late 1990s, the journalists from Tendencias magazine wrote several newspaper supplements with financial support from PRODECA. Most of these supplements were inserted in La Prensa Gráfica and some in El Diario de Hoy, since these dailies have the widest circulation in El Salvador. The first supplements dealt with issues related to the development policies being promoted in the country, that is, issues generally not covered by traditional journalism. Others had a more cultural bent; for example, the supplement known as “El Búho” was published monthly for one year with an average run of 100,000 copies. It projected a critical perspective on cultural issues, with the idea of offering cultural diversity to a newspaper readership used to conservative cultural and literary productions. The PRODECA aid was a response to the desire of the Tendencias editors to produce a

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98 Interview with Lina Pohl, Local Director of the Central America Office, Böll Foundation, January 27, 2004.
100 Interview with Beatriz Barraza, consultant for HIVOS in San Salvador, January 26, 2004. HIVOS does not have a representative in El Salvador.
101 Interview with Roberto Turcios, former executive director of Tendencias and political analyst, September 19, 2003.
product that would reach a wider audience and disseminate alternative information in the largest circulation newspapers.\textsuperscript{102}

\textit{Community Radio}\textsuperscript{103}  
According to available information, some of the community radio stations that are members of the Association of Participatory Radio Stations and Programs of El Salvador (ARPAS) have benefited from international assistance. Most of these funds were raised by ARPAS.

- \textit{Radio Victoria} and \textit{Radio Acaxual}, both with local coverage, as well as \textit{Radio Sumpul}, with regional coverage, have benefited from projects for staff training and acquiring radio equipment, funded by international assistance agencies;\textsuperscript{104}
- \textit{Radio Izcana/}, with regional coverage, received technical assistance in 2000 from CAF/SCO (Netherlands) in the form of transmitting equipment to complement what they already had;\textsuperscript{105}
- \textit{Radio San Pedro}, with local coverage, benefited from the installation of a radio studio, provided by CAF/SCO;\textsuperscript{106}
- \textit{Radio Cabal} (now \textit{Radio La Klave}) has received financial and technical aid from MS (Denmark) from the time it went on the air in 1993 until 1999. This assistance took different forms, depending on the station’s needs and included: the purchase of new equipment, advice from Danish volunteers to strengthen the radio’s news reporting, and funding to pay annual operating expenses. In 1998, around 70% of expenses were covered by external aid. In the perspective of MS Denmark, the question of financial sustainability was not a concern in the station’s start-up phase. The objective was to have a radio station operating as a forum open to debate and participating in democratization of the media. However, since 1998, more emphasis was placed on financial aspects (see case study).\textsuperscript{107} \textit{Radio Cabal} also received financial aid from HIVOS (Netherlands) for at least five years, getting around US$32,000 per year; these funds were allocated to the purchase of equipment and a site for the antenna, as well as salaries for administrative personnel.\textsuperscript{108}

From the foregoing, it can be inferred that most Salvadoran community radio stations have managed to support themselves by other means (73%), most commonly through paid advertising, volunteer workers, and local donations. Some of the religious community radio stations receive aid from churches, without these ties restricting their autonomy.

\textsuperscript{103} Information in this section was provided by Héctor Vides, executive director of the Association of Participatory Radio Stations and Programs of El Salvador (ARPAS), interview held on September 5, 2003.
\textsuperscript{104} \textit{Radio Victoria}, \textit{Radio Acaxual}, and \textit{Radio Sumpul} are respectively located in the departments of Cabañas, Sonsonate, and Chalatenango.
\textsuperscript{105} \textit{Radio Izcana/} is in the department of Usulután.
\textsuperscript{106} \textit{Radio San Pedro} is in the department of Cabañas.
\textsuperscript{108} Interview with Beatriz Barraza.
Online Newsletters

In early 2003, three online newsletters started up, with financial assistance for production from Oxfam America, CAF/SCO (Netherlands) and the Swedish International Development Co-operation Agency (SIDA). Targeted selectively at opinion shapers, decision makers and international assistance agencies, these online publications include a weekly newsletter, *El Mirador de Gobernabilidad,* which follows the issue of governance in El Salvador; a daily bulletin that gives an analytic overview of current events in El Salvador; and a biweekly newsletter that goes into depth on specific issues of interest.\(^{109}\)

Assistance for Television Programs

During the post-war period, international assistance agencies have been supporting production and broadcast of several television shows that include topics on the Peace Accords, democratic openness, political pluralism, and others. With one exception, these programs have been broadcast by Channel 12 (which became TV 12 in 1996). They are the following:

a) The weekly program *“A Fondo”* was produced in 1992-93 with financial and technical aid from the Spanish government, the mayor’s office of a Basque city, and the French organization CIMADE.\(^{110}\) Combining feature stories with interviews, the program’s main objective was to contribute to shaping opinion on diverse topics like the Peace Accords, the democratization of Salvadoran society, and the causes of the armed conflict;\(^{111}\)

b) The weekly program *“En la Mira”* was funded by the Canadian International Development Agency (CIDA) during 1995-1996. This program primarily addressed the country’s economic and social problems, combining feature stories and interviews, in order to generate debate;\(^{112}\)

c) The program *“Realidades. Periodismo de Fondo”* has financial aid from SIDA and began production in 2001. It is aired periodically, according to what is happening in the news; primarily addresses topics of national concern;

d) The daily interview show *“Entrevista al día”* is a well-known program belonging to TV 12 (previously Channel 12) that began production during the war. Significantly, the preparatory work (documentation and investigation) that provided the foundation for this program was supported by the same donors that funded production of the programs *“A Fondo,” “En la Mira,”* and *“Realidades. Periodismo de Fondo.”* “*Entrevista al día*” was one of the first opinion shows where representatives from different political and social camps participated, stimulating “open, democratic debate between those forces responsible for sketching the blueprint for a new nation, set forth in the Peace Accords.” As evidence of its desire to foster

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\(^{109}\) Interview with Franzi Hasbún, media expert, September 25, 2003.

\(^{110}\) CIMADE (Service oecuménique d’entraide) is an ecumenical mutual aid service. In France, CIMADE works mainly on defending immigrant human rights; its international activities seek to contribute to development with solidarity, peace building and strengthening civil society in countries of the South. CIMADE website: [http://www.cimade.org/qui/region-idf.html](http://www.cimade.org/qui/region-idf.html).

\(^{111}\) The assistance not only covered production of *“A Fondo,”* but also the equipment needs of the Video Center of the University of Central America (UCA), which made the program. Interview with Franzi Hasbún.

\(^{112}\) This aid was obtained through a reconstruction program. The show was made by the UCA’s Video Center. Ibid.
political pluralism, the “Entrevista al día” was the only show that dared to open its space for
debate to FMLN leaders during the civil war.\footnote{113}

These programs—“Entrevista al día,” “A Fondo,” “En la Mira” and “Realidades. Periodismo de
Fondo”—have a common denominator: they seek to strengthen the democratization process, by
contributing to shaping public opinion with wide coverage, with the objective of generating processes
for organizing, changing, and transforming Salvadoran society for the benefit of the vast majority.
These four programs have been broadcast by a private television channel that is relatively open to non-
governmental sectors, and they have been very well received by viewers. This can be measured by
several indicators, including the average rating for “Entrevista al día” and “Realidad: Periodismo de
Fondo” (around 60% of the TV audience), the flood of telephone calls and e-mail on and off the air,
and the recognition these programs have received over time.\footnote{114}

Production of the weekly program “Emisión Especial” has also benefited from financial aid from
DANIDA in the framework of PRODECA. Financing for one year (with a possible six-month
extension) began in January 2003. It covers a six-person team (two camerapersons, three journalists,
and one producer), which makes feature stories about different political, economic, and social topics
that are of particular interest to the Salvadoran public. The stories are shown on “Emisión Especial,”
broadcast weekly on Channel 33, a channel belonging to the Technological University. The stories
also provide continuity to the work of the Channel 33 news department. As an investigative reporting
program, “Emisión Especial” responds to the strategic vision of DANIDA/PRODECA. The program’s
objective is to improve society and, in particular, current policy, culture, and the knowledge and
education of Salvadorans. Another important characteristic of the program is its democratic profile, as
it seeks to foster pluralism of opinion and a culture of democracy.\footnote{115}

In addition, the public television station (Channel 10), which has mainly educational and cultural
programming, has received a lot of financial and technical aid from international assistance agencies.
Channel 10 is run by the National Council on Culture and the Arts (CONCULTURA), an agency
within the Ministry of Education. Most of the donors are counterpart agencies in France, Germany,
Mexico, Colombia, and Japan. The assistance covers equipment, training, technical assistance, and
educational and cultural materials. The materials deal with a large variety of topics such as human
rights, children, health, and others.\footnote{116}

\textit{Support for Media NGOs}

The main organizations involved with media are the Association of Journalists of El Salvador (APES),
the Association of Participatory Radio Stations and Programs of El Salvador (ARPAS), and
\textit{PROBIDAD}. This last one is a non-partisan, not-for-profit civic organization that works to defend the

\footnote{113} Interview with Franzi Hashún; M. Funes, “Medios de comunicación en El Salvador: Modernización
tecnológica sin modernización política,” in \textit{Medios de Comunicación y Democracia en El Salvador}, eds. R.
\footnote{114} Interview with Franzi Hashún.
\footnote{115} Interview with Narciso Castillo, director of Channel 33, September 15, 2003.
\footnote{116} For example, Japan has funded a project for US$400,000 for a studio and video equipment for Channel 10.
UNDP, \textit{El Salvador, Cooperación técnica y financiera para El Salvador, según información proporcionada por
freedom of expression. These three organizations have benefited to differing degrees from international assistance.

**PROBIDAD**

PROBIDAD (Probity) has received a small portion of the financial aid allocated by three agencies in the framework of programs carried out in Latin America and Central America. See Annex 9.

In the opinion of PROBIDAD chairman Jaime López, donor aid has the primary objective of stimulating investigative reporting and improving the conditions (institutional, legal, etc.) for practicing journalism in El Salvador. PROBIDAD has made good use of donor technical advice (through meetings and ongoing communication with their representatives). This has enabled them to improve their methodology for addressing the freedom of expression issue. The activities it is engaged in are crucial for fostering and strengthening the democratic process in a country where democracy is still fragile. Efforts at undermining corruption and defending the freedom of expression contribute to building and consolidating a democratic State. The assistance provided tends to be short-term (one year). PROBIDAD maintains its autonomy regarding decision making about the handling of donor funds.

**ARPAS**

The Association of Participatory Radio Stations and Programs of El Salvador (ARPAS) has received international assistance since its founding in 1994 up until the present. This civil society agency works on consolidating the community radio movement with the goal of encouraging public participation and contributing to human development and local and nationwide democratic processes.117

During its first five years, ARPAS received general financial aid from the Communication Assistance Foundation (CAF/SCO), Netherlands; DanChurchAid, Denmark; the Canadian Executive Services Organization (CESO), Canada; Programa de Reconstrucción Social El Salvador, Canada; Misereor, Germany; and Diakonia, Sweden.118 In addition, certain agencies, such as HIVOS (Netherlands) and the World Association for Christian Communication (WACC), have provided targeted grants. Since 2000, ARPAS has received financial contributions from Diakonia and CAF/SCO. According to information provided by the ARPAS executive director, the total amount of aid from 1994 to the present is approximately US$0.5 million, most of which has been medium–term (around three years). A significant portion of this aid has been invested in radio equipment.119 A small percentage (from 5% to 10% per project) also goes to supporting institutional development, which is complemented by advertising revenues. ARPAS has also received technical assistance from several donors: CAF/SCO; World Communications (United States), in the form of advisory services provided by three development workers; the Centro de Desarrollo Internacional (Spain), for strengthening the areas of technical training, information, and administration; and Diakonia for institutional and organizational strengthening.120 For more information regarding specific contributions from some of ARPAS donors, see Annex 9.

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117 ARPAS currently has 22 member stations: 2 with nationwide coverage, 5 with regional coverage and 15 with local coverage.
118 DanChurchAid seeks to strengthen civil society through social reconciliation, with the goal of preventing new conflicts. See the objectives of CAF/SCO, Diakonia and HIVOS below.
119 Interview with Héctor Vides. Although the cost of installing a radio station is around US$10,000 – 20,000, upkeep is more expensive.
120 Interview with Héctor Vides; interview with Carolina Poggio.
In 1999, the Association of Journalists of El Salvador (APES) was the beneficiary of financial and logistical aid from Radda Barnen (a Swedish NGO dedicated to the protection of children) for the drafting of a Code of Press Ethics. The product of the joint efforts of journalists, scholars, journalism students, and representatives from diverse sectors of civil society, this Code is an attempt to contribute to professionalizing the press and through this, to strengthening democracy. The articles (Ch. IV of the Code) that refer to the appropriate, responsible handling of information regarding children can be seen as the outcome of Radda Barnen’s support for the APES project.

Journalist Training

Several multilateral organizations and foundations have funded journalism training programs in El Salvador during the post-war period, including the following.

PROCEPER

The Central American Journalism Project (PROCEPER) was sponsored by Florida International University (FIU) with funding from USAID between 1988 and 1997. USAID gave a total of US$13.8 million for project implementation in Central America. Its main objectives centered on “improving the professional abilities, journalistic ethics, and managerial capabilities of journalists and editors.”

The project provided training through brief or extended seminars that focused on such things as editing techniques, news reporting, investigative journalism, and election coverage. According to an available estimate, more than 2,000 journalists from Guatemala, El Salvador, and Honduras have participated in PROCEPER training seminars. PROCEPER began work in El Salvador during the war, with the participation of 35 to 50 journalists a year.

In support of this training process and to strengthen contact between journalists, various publications were sponsored. One of these projects led to the creation of “Pulso del Periodismo,” a journal devoted to the issues of training and education in journalism. “Pulso” became a forum for discussing and devising journalistic standards and techniques. At present, this journal continues as a website, funded by the Robert R. McCormick Tribune Foundation. The site is used by Salvadoran journalists and professors, including Ricardo Chacón. Another publication project resulted in putting

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121 The 39 articles in the Code of Press Ethics form a set of standards and criteria to serve as guidelines for six types of relationships occurring in journalism: 1) the journalist and society; 2) the journalist and information sources; 3) the journalist and children; 4) the journalist and public officials; 5) the journalist and the communications industry; and 6) the journalist and the profession. <www.apes.org.sv>


123 PROCEPER became the Latin American Journalism Project (LAJP) when the Andean countries joined. When USAID funding ended in 1997, the LAJP transferred its mission and training activities to CELAP (Centre for Latin American Journalism), a private, self-supporting institution. Rick Rockwell and Krishna Kumar; *Journalism Training and Institution Building in Central American Countries*, Arlington, 2003, v.

124 The budget allocated for the first five years was US$9.3 million; the project received an additional grant of US$4.5 million for the 1993-1997 period. Rockwell and Kumar, *Journalism Training*, 4-5.


126 Ibid., 11.

127 Information provided by Ernesto Altschul, interview September 17, 2003.
together a Latin America media directory in 1993, with the objective of providing information on institutions linked to the media and journalists. The directory is published online.\textsuperscript{128}

**UNESCO**

UNESCO has sponsored journalism training programs in El Salvador. Available information shows that during the 1990s at least two projects were executed that included media seminar-workshops.\textsuperscript{129} It has also sponsored more extensive courses, such as a four-unit, 130-hour advanced course on communications research, organized in 1998 by the Department of Letters, Communication, and Journalism of the UCA, with the participation of other universities (Technological University, National University of El Salvador, and the Mónica Herrera School of Communications.).\textsuperscript{130}

**ICFJ**

In the framework of its Media and Freedom of Expression in the Americas Program, funded by the Robert R. McCormick Tribune Foundation, the International Center for Journalists, ICFJ (United States) held several lectures in El Salvador (4-6 July 2002). The lectures had the objective of disseminating information about and ensuring understanding of the issue of freedom of expression in the journalism community. “ICFJ believes that in order to generate an atmosphere of respect for the freedom of expression, the press itself must disseminate more and better information on the issue.” With this perspective, the Program seeks to encourage debate between newspaper professionals about freedom of expression and the role of the news media.\textsuperscript{131}

**KAF**

The Konrad Adenauer Foundation (Germany) seeks to strengthen democratic structures, and one way is by providing professional training for journalists. From this perspective, in the framework of its Media and Democracy in Latin America Program, the Foundation funded and organized a research project on the Salvadoran media and its impact on democracy in 1995. Coordinated by the Department of Letters, Communication, and Journalism of the UCA, the study’s purpose was “to deepen knowledge of the issue and its effect on society … to contribute to democratic development, the consolidation of peace, and the store of scientific quality texts.”\textsuperscript{132}

**FES**

Friedrich-Ebert-Stiftung (FES) (Germany) supports strengthening of the democratization process in El Salvador, and one of their areas of work is the media. Through its New York office, the foundation offers full scholarships to journalists to attend intensive journalism courses in the United States and Germany. The two-week courses seek to improve ethics and professional capacities in journalism. Some of the prominent Salvadoran journalists who have taken this training are Mauricio Funes (TV

\textsuperscript{128} The journal “Pulso” stopped being published in printed form when USAID funding ended. Ricardo Chacón is director of the daily newspaper El Mundo and dean of the School of Journalism of the Universidad Matías Delgado; the media directory is at <www.mediaguia.com>; Rockwell and Kumar, *Journalism Training*, 5-6.

\textsuperscript{129} On of the projects had a total cost of US$9,000; no information is available on the cost of the second one. UNDP, *Cooperación financiera y técnica*.

\textsuperscript{130} Interview with D. Rivas Alvarado, Coordinator of the licenciatura degree in communication and journalism of the UCA, September 22, 2003.

\textsuperscript{131} This information comes from the ICFJ website.

\textsuperscript{132} R. Bracamonte and S. Roggenbuck, eds., *Medios de Comunicación y Democracia en El Salvador*, San Salvador, 1996, ii. This publication includes the research papers done in the course of the project.
FES has also been promoting investigative journalism through research on specific topics of interest. The studies are used as reference material by journalists and communicators in different media outlets (especially TV 12, Channel 33, and Channel 21), when they need to prepare for an interview or investigate a story. For example, a study done by FES on the middle class in El Salvador provided the basis for a story in La Prensa Gráfica, published in the investigative supplement “Enfoques” in August 2003.134

Several communications and journalism schools have received aid from international assistance agencies, among them, the communications and journalism unit in the Department of Letters, Communication, and Journalism at the UCA. Since it began in 1990 until the present, this unit has received support from a Spanish Jesuit organization, “Noticias de España” for documentation and money to purchase technical equipment.135

Training courses for media executives exist, supported by international assistance agencies, although it has not been possible to confirm whether Salvadoran media executives have attended any of them. One of these courses is a joint seminar by Northwestern University and the Press Institute of the Inter-American Press Association (IAPA), which has support from the John S. and James L. Knight Foundation and the Robert R. McCormick Tribune Foundation. The course began in 2001 and is held each year for two weeks; participants are media executives working in the editorial area, production, or media administration. The seminar’s core objective is “to provide the executive with a comprehensive corporate vision and forge new leaders for the journalistic endeavor.” The seminar’s content revolves around four themes: strategy, marketing, journalism, and leadership.136

**Assistance for Legal and Regulatory Reforms**

In the 1990s, the privatization of the telecommunications sector was sponsored under the auspices of the Inter-American Development Bank (IADB). This privatization process responds to one of the core objectives of the IADB strategy for El Salvador “to support modernization or restructuring of the public sector to enable greater participation by the private sector in the areas of energy and telecommunications (among others).”137

With this perspective, the IADB provided financial and technical assistance in the framework of three programs: the Sectoral Investment Program, the Program for Restructuring and Privatizing the Energy and Telecommunications Sectors, and the Public Sector Modernization Program. The executing agencies drafted and implemented a new legal, regulatory, and institutional framework for the sector and established a telecommunications regulatory commission. The results were the passage of a new telecommunications law in 1996, which dismantled the State monopoly on the telecommunications sector, and the creation of the General Electricity and Telecommunication Superintendence (SIGET), in charge of managing the radio spectrum and allocating transmitting frequencies through public auction.138

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134 Ibid.
135 This aid began after the murder of the Jesuit priests at the UCA. Interview with D. Rivas Alvarado.
136 <www.sipiapa.com/espanol/seminario/capacitacion.htm>
138 The executing agencies were the Planning Ministry (no longer in existence), the Treasury Ministry and the Presidential Commission for Modernization of the Public Sector. Weinberg and Ruthrauff, *Estrategias y*
The Salvadoran legal framework includes various laws with provisions that run counter to freedom of expression, resulting in constraints on the practice of journalism (See also Annex 10). However, international agencies had not taken up this issue until quite recently. In early 2003, the Salvadoran government requested technical assistance from UNESCO for the purpose of reviewing national laws and adapting them to the international conventions signed by El Salvador in connection with free speech. One issue of particular interest is the need for regulation regarding access to information. According to available information, this initiative could lead to the creation of a task force made up of representatives from across the political spectrum, professional journalists, and scholars. The commission’s mandate would be to create a democratic legal framework that would foster improved performance by the media in El Salvador.  

4.4 Impact of Media Assistance

Strengths and Weaknesses of the Media

Strengths

The following are some of the main strengths of the media:  

a) Most Salvadoran media now have improved technological capacity for broadcasting and publishing, better-qualified human resources, and better organized companies. This can be seen in the following changes: Newspapers have automated their printing and graphic design systems and have adopted modern concepts of journalistic and corporate organization. Television has moved into the digital age with live broadcasts, upgraded signals, and wider ranges. Radio stations are converting to digital technology and are forming broadcast networks and business consortiums. In certain cases, technical progress has been made possible due to the role of international assistance, especially the journalism training programs. For example, El Diario de Hoy was restructured and its graphic design noticeably improved under the tutelage of Lafitte Fernández, a Costa Rican editor and instructor for PROCEPER at Florida International University, who is currently the newspaper’s editor in chief. This transformation enabled El Diario de Hoy to increase its market share. International assistance (primarily through ARPAS) has also contributed to developing and strengthening community radio, by sponsoring activities including procurement of technical equipment, production training, technical advice, management training, purchase of the frequency, among others;

b) The media are constantly undergoing journalistic innovation and technological modernization rooted in competition. Though El Diario de Hoy and La Prensa Gráfica were considered to be among the most backward newspapers in Latin America ten years ago,

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Information from Marcello Azzi Scarone available at www.unesco.org/ci/ev.php?

Chamorro and Arene, El turno de los medios, 6, 8; interview with Narciso Castillo.

Rockwell and Kumar, Journalism Training, 12-13; Lafitte Fernández has worked as editor of the respected Costa Rican newspaper La Nación. M. Smeets, “El periodismo en la etapa de post guerra en Guatemala y El Salvador,” 5.

UNDP, Segundo informe sobre desarrollo humano, 271-272.
competition has led them not only to transform and modernize their newsrooms, but also to improve the quality of their news products. For example, Lafitte Fernández introduced the first investigative articles (focusing on the court system) in El Diario de Hoy. Their principal competitor, La Prensa Gráfica, then followed suit. At present, both papers have a weekly journalistic supplement that presents opinion and research on issues of general interest or related to Salvadoran history and culture.\textsuperscript{143} In the same fashion, the innovative programming on Channel 33 and TV 12, also funded by external aid, tends to push other media outlets to innovate and/or improve their reporting.\textsuperscript{144}

c) Several television stations are run by visionary entrepreneurs, committed to democratization: This has resulted in programming (news programs, features, opinion, and debate shows) that has achieved broad social acceptance for its contribution to democratic development. International assistance made the production of several of these programs possible. Undoubtedly, having an external funding source helps these stations to preserve their autonomy from the State and political parties for program content and format. These conditions promote more objective or impartial treatment of the information they broadcast;

d) The community radio stations that are members of ARPAS have great communications and democratic potential “their main strength lies in their stress on participatory programs that involve the community in discussion and solution of their local problems as well as in preserving cultural identity.”\textsuperscript{145} ARPAS has been in the forefront in consolidating community radio stations, especially in the technological, legal, and educational spheres. This role would not have been possible without financial and technical assistance.

\textbf{Weaknesses}

The following are the weaknesses in the media:\textsuperscript{146}

a) There is a clear monopolistic trend in Salvadoran television, as seen in Telecorporación Salvadoreña (TCS), which runs the three channels with the greatest reach and audience in the country and holds 85% of the advertising market. This situation impedes the work of the other stations, particularly those that lean toward programming that departs from the traditional. It is also a barrier to the entry of new media outlets (especially small and medium size ones) in the market;

b) Another problem associated with the concentration of TV ownership is the inclination of some media outlets (especially the TCS channels and El Diario de Hoy) to become allies of the dominant economic and political sectors. This hinders their ability to function as a democratic forum for information, debate, and public discussion;

c) The predominance of the corporate-commercial function over the function of the media as public forums tends to decrease the professional independence of newsroom editors, journalists, and columnists (especially the TCS channels and El Diario de Hoy);

\textsuperscript{143} These supplements are “Enfoques” (La Prensa Gráfica) and “Vértice” (El Diario de Hoy).
\textsuperscript{144} M. Smeets, “El periodismo en la etapa de post guerra en Guatemala y El Salvador,” 5; interview with Narciso Castillo.
\textsuperscript{145} Chamorro y Arene, \textit{El turno de los medios}, 17-18.
\textsuperscript{146} Ibid., 7-10; interview with Narciso Castillo; interview with W. Meléndez, September 2003; interview with C.A. Rosales; C. Ayala Ramírez, “Diez conceptos básicos en torno a los medios de comunicación,” \textit{Realidad: Revista de Ciencias Sociales y Humanidades}, no. 84 (2001); 842; Escoto, \textit{Ojos que sí ven}, 96-97.
d) The public television station (Channel 10) has lagged behind on the TV communications map, despite substantial support from international assistance. The primary problem is that public television has never been a priority for the Salvadoran government. During its 12 years in office, the current ruling party has shown no interest in providing economic resources for the project or energizing it in any way. What does exist is not independent from the State, and its programming is so heavily cultural that it tends to exclude issues related to the country’s political agenda. Given these conditions, Channel 10 is incapable of being a counterweight to the hegemony of the private television stations;

e) The Salvadoran public does not have access to an influential weekly newspaper or monthly magazine that would permit a more in-depth, historical approach and analysis of current events.

Micro-Level Impact Assessment

Improved Quality in Television Programming
Television programs including “A Fondo,” “En la Mira,” “Realidades. Periodismo de Fondo,” “Entrevista al día,” and “Emisión Especial” have benefited from international assistance. The main impact has been the following “These innovative programs have done an important job in promoting investigative journalism, diversity of information sources, and pluralism of opinion and citizen participation, in some cases spurring the professional renewal of the traditional media.” They have become a benchmark of professional excellence and journalistic innovation, without this necessarily corresponding to a position of commercial leadership.

Improved Print Media Quality
Even though the weekly Primera Plana stopped publishing, the project was considered a success due to its direct positive impact on journalism: it contributed to fostering a new way of doing journalism, promoting investigative reporting, and addressing new issues. See also Annex 11.

Tendencias magazine was also part of the advances made by the print media, especially in pluralism of opinion. However, according to comments by Beatriz Barraza (HIVOS consultant), the magazine degenerated into a magazine of disputes, sacrificing space for news, and where the opinions expressed were always from the same columnists.

Strengthening Community Radio
ARPAS member community radio stations have used international assistance for technical and journalistic modernization. Twelve of the stations broadcast on the same frequency (92.1 FM) purchased with Canadian aid. This has led to improved sound quality and wider range and audience. They have also improved their participatory programs that involve the public. Even though some of the stations have not been able to support themselves without international help, others have managed to become economically sustainable. One of these is Radio La Klave (formerly Radio Cabal, see Annex 11).

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147 Chamorro and Arene, El turno de los medios, 8.
148 Ibid.; interview with Franzi Hasbún; interview with W. Meléndez.
149 Interview with Lina Pohl.
150 Interview with Beatriz Barraza, consultant and reference point for HIVOS in El Salvador.
**Media Organizations**

A. Strengthening Civil Society Organizations

The main media NGOs that have benefited from international assistance are **PROBIDAD** and **ARPAS**. This aid has been valuable because it has enabled both institutions to carry out most of their activities over the past decade. Both **PROBIDAD** and **ARPAS** have been recognized as forerunners and authorities in public debate arenas: the first on freedom of expression and the fight against corruption and the second on democratization of the media.

**PROBIDAD** has acquired the technical capacity to research issues related to press freedom and corruption and has amassed knowledge about the troubles plaguing the practice of journalism in the country. Another strength is its ties to journalists. See also Annex 11.

**ARPAS** has achieved a presence in 70% of the country and has ties with communications organizations in the region and around the world. One donor—Diakonia—is of the opinion that **ARPAS** has had its greatest successes in the technical and legal fields. It has amassed an enormous technical capacity (six production centers) and has fulfilled its role of representing and defending the rights of community radio stations and getting them legalized. This last point is an important (though not sufficient) condition for ensuring their medium and long-term sustainability. Another important accomplishment has been ensuring a place on the radio dial (purchasing the 92.1 FM radio frequency). **ARPAS** has also vitalized citizen participation in the media, serving as a space for discussion of personal and community development issues.\(^{151}\)

However, **ARPAS** has focused on these legal and technical aspects to the detriment of its role as the coordinating agency for the radio association. It has still not developed its enormous potential for linking up the community radio stations around a shared communications strategy that promotes grassroots participation. This would enable **ARPAS** and the member stations to act as a counterbalance to conventional stations on the Salvadoran radio scene. This challenge could be taken up by **ARPAS** once it has succeeded in redefining its identity and goals as a coordinating agency. The other pending challenge is to become self-supporting.\(^{152}\) For more information on **ARPAS**, please refer to Annex 11.

The international aid received by **APES** has been for the specific purpose of drafting a Code of Press Ethics. The impact of this document has been impressive; it established a system of self-regulation for the media in El Salvador through a set of rules for journalists and media owners, with the goal of making the practice of journalism more serious and responsible. The Code has proven to be an effective instrument in practice, and an Ethics Commission gets involved in cases where one or more of its articles are violated.

The code’s influence can be seen in its use as a reference document in debates and forums on journalism, as well as for consultation by journalists and journalism students. In addition, the code was one of the factors that helped **APES** play an important role in the public debate in the Legislative Assembly over proposed laws dealing with the information issue.\(^{153}\)

Nevertheless, lack of local resources has kept **APES** from promoting and carrying out other activities they consider important, including setting up a media watchdog group together with

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\(^{151}\) Interview with Carolina Poggio and Pedro Martín García V. national representatives for El Salvador, Diakonia, January 21, 2004.

\(^{152}\) Ibid.

\(^{153}\) Interview with W. Meléndez.
PROBIDAD and the Foundation of Studies for the Application of the Law (FESPAD). APES dependency on the support of international assistance agencies is, without a doubt, a big weakness.

B. State Agencies
Financial and technical assistance from the IADB made possible the creation of the General Electricity and Telecommunication Superintendence (SIGET) in 1996. SIGET’s primary mandate is managing the radio spectrum and allocating transmitting frequencies through public auction. In the opinion of one social communicator linked with community radio, this new regulatory agency suffers from various weaknesses, including the following:

- First, SIGET is not a collegial agency: the law puts a single official (the superintendent) in charge of the administration of telecommunications. The superintendent is appointed by the president and has the authority to enforce all regulations in connection with the radio transmitting bands. “This is ... excessive power in such a strategic field where collegial decisions are necessary to prevent arbitrariness. If this does not happen, at least the possibility should be considered of placing the designation of the superintendent in the hands of the Legislative Assembly ... starting with a slate of candidates proposed by the President;”

- Second, using auctions as the mechanism for accessing radio frequencies means that the spaces available on the band will be allocated to the highest bidder, leading to, “the radio spectrum, which is a public good, being subject to the private interests at play in the free market;”

- Furthermore, it is worth noting that the new telecommunications law, as it was passed in 1996, was discriminatory in that it did not recognize the community radio stations. It was not until 1998 that an ARPAS-proposed amendment to the law passed, winning recognition for community radio stations.

Meso-Level Assessment

Introduction
The era when the media was controlled by authoritarian, repressive administrations has given way to a new process in which the media share a general commitment to democracy, freedom of expression, and pluralism of opinion. No doubt, these impressive transformations are associated with processes of political openness and liberalization stemming from the Peace Accords. International assistance agencies have also played a role in this process of change. They have had an influence over journalistic training and modernization of the media, in terms of improving the supply of information and pluralism of opinion.

Toward a More Professional Journalism
Over the last decade a new generation of journalists has grown up, the majority of whom have been educated in the schools of journalism and communication in local universities. A significant number

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156 Interview with Héctor Vides.
of them have been able to take advantage of courses and seminar-workshops on journalism, subsidized by international assistance agencies. This has led to today’s journalists being better qualified than their predecessors. The Code of Press Ethics has also acted as an incentive to the practice of more professional journalism.\textsuperscript{157} The presence in the newsroom of better trained journalists who are more committed to the practice of professional journalism has been reflected in an improvement in the media’s role in three basic functions: its duty to inform, its capacity as social watchdog, and its promotion of pluralism. Of course, advances in these areas are also due to additional factors, including an atmosphere of political openness and the external aid provided to certain independent media outlets.

\textit{The Media as Public Opinion-Makers}

Little by little, news shows have branched out to include previously banned issues of national life, such as malfunctioning institutions, corruption, and impunity, among others. A more critical approach in their coverage of these issues is also notable in certain media outlets, which is due to advances made in the sphere of investigative journalism. Undoubtedly, the television programs “A Fondo,” “En la Mira,” “Realidades. Periodismo de Fondo,” and “Emisión Especial;” the efforts of Primera Plana and Tendencias; and the investigative supplements of El Diario de Hoy and La Prensa Gráfica have contributed to improving the supply and diversity of news, as well as investigative reporting. The journalism training programs and the organization PROBIDAD have played an important role in this area.

However, it is important to point out that broadening the issues agenda does not necessarily go hand in hand with better quality in the information disseminated by the daily news shows. It is media business (and not so much the journalists) that decides “...what is disseminated, how it is disseminated, where it is disseminated, and when it is disseminated.”\textsuperscript{158} The basic criteria for making these decisions is the need to sell more papers or attract more viewers and not the recognition of the needs of the public on the receiving end. The overall result is the tendency of many media outlets (especially the television stations belonging to TCS) to focus on scandal (political, economic, and social), crime, and the misfortunes of individuals and society in general.\textsuperscript{159} Another problem is the arbitrary handling of the information in the media, and the confusion between what is opinion and what is news.\textsuperscript{160}

\textit{The Media as a Watchdog over Public Authorities}

For the past several years, State institutions (ministries, parliament, autonomous agencies) have been under the watchful eye of many of the Salvadoran media; they increasingly report on dubious bids for public works, corrupt officials, police officers involved in crimes, and the fraudulent (or irresponsible) handling of public resources, among other things. This force has pressured the institutions involved into opening investigations, some of which have led to the destitution or arrest of those responsible for crimes that in the past would have gone unpunished.\textsuperscript{161}

\textsuperscript{157} Interview with W. Meléndez; interview with Ernesto Altschul; interview with D. Rivas; Chamorro and Arene, \textit{El turno de los medios}, 10.
\textsuperscript{159} Ibid.
\textsuperscript{160} Interview with J. López.
\textsuperscript{161} UNDP, \textit{Segundo informe sobre desarrollo humano}, 275.
Even though the media has improved its ability to scrutinize public institutions, this ability is still limited in terms of the ability to address certain issues that touch on interests of the ruling economic groups. Internal censorship or self-censorship is still practiced in certain media outlets. In addition, the crimes and human rights violations committed during the armed conflict are still a taboo subject in El Salvador. This: “has hindered acknowledging the truth about the horrors of the past and strained the process of reconciliation.”

There have also been instances of discrimination against certain media outlets or programs precisely for playing this watchdog role or for their critique of different issues of national concern. Such discrimination takes the form of restricting access to certain information sources, political pressure, and blocking advertising allocations (State or private).

**The Media in the Promotion of Pluralism of Opinion and Debate**

In recent years, most of the media have made space for different political and ideological currents by adding opinion segments; this enables them to perform: “a new function as places for debate, criticism, and dissent, offering an invaluable contribution to the establishment of a basic atmosphere of tolerance....”

“Political groups and ideological positions that during the seventies or early eighties had no place in the media because of the repressive political climate, began to express opinions and to be interviewed.”

This new dynamic in the media has generated changes in electoral politics. For example, “in the elections prior to the municipal and legislative elections of March 12, 2003, the different political parties were pressured to leave aside classic propaganda aimed at destroying the opponent, and instead to stress educating the electorate and discussing concrete political platforms.”

Political debates broadcast by some TV stations are starting to become a tradition in the country, where the candidates can be seen, face-to-face, discussing the important issues on the national agenda before the cameras. Development of this new media function as a forum for debate has been fostered by innovative programs on TV 12 (particularly ‘La Entrevista al día,” which has been on the air for several years) and the journalism training courses, including PROCEPER. As part of this program, Salvadoran journalists received intensive training (adapted to the country context) on election news coverage.

There is evidence, however, that this openness toward pluralism is limited, especially during election campaign time. The newspapers with the widest circulation and the TV news programs with the largest audiences continue practicing, “...although more subtly, the old tradition of aligning themselves with parties....” instead of providing information that gives citizens a wider political choice.

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163 Ibid., 6-7.
165 Ibid.
Conclusions and Remaining Challenges

In summary, international assistance has influenced the advances made in the Salvadoran media since the signing of the Peace Accords: professionalism has grown in the practice of journalism; news coverage has improved in terms of information and investigative reporting; the role of the media as public watchdog has improved along with spaces for opinion and debate. According to various analysts, the most visible progress has been made in the area of pluralism of opinion. They also highlight “the considerable progress” of the leading media in distancing themselves from the public authorities and taking a critical stance toward them.170 These advances are fragile, however, and are limited by a number of factors, including the following:

a) “The openness to pluralism shows clear limits, associated with the economic interests of the groups that own the media and to the polarization of Salvadoran society.”171 The fact that the leading media demonstrate increased pluralism of opinion does not mean that all political opinions carry the same weight for them. Certain media, such as the three TCS stations and El Diario de Hoy, identify closely with the political and economic interests of powerful corporate groups and a governing party that champions them. This leads them to being biased (especially in their editorial lines) in favor of these powerbrokers and their political spokespersons and against those who challenge them. This practice becomes more evident during election time. These media outlets are merely a sounding board for the ruling sectors in society; it would be difficult to claim they are supporting democracy;172

b) Another problem, related to the previous one, is “the press’s high degree of dependence on corporate economic groups, which, aside from being powerful advertisers, in some cases own shares in these media outlets.”173 This reality means journalists are not free of the ties, conditions, or pressure exercised by the owners over news content. “There are things that editorial writers and journalists are able to say, but there are other things they cannot.”174 Following orders from above, investigative reports are suspended, stopped, or filed away when they involve corporate sectors connected to the media outlet. This imposes censorship and self-censorship in the newsroom. In this context, many media outlets face the challenge of needing to become watchdogs over private powers with as much zeal and rigor as they have been doing with State institutions;175

c) The practice still exists of using State and private advertising to punish or reward the media. Media outlets willing to promote the official line are rewarded by the government with State advertising, while those that adopt a posture of critical oversight on certain issues of public concern risk being cut off from State and private advertising;176

d) The Salvadoran legal framework includes provisions that penalize journalists and restrict the scope of investigative reporting. For example, some articles in the Penal Code put pressure

170 Ibid. 4-5.
171 UNDP, Segundo informe sobre desarrollo humano, 272.
173 Chamorro and Arene, El turno de los medios, 12.
175 Chamorro and Arene, El turno de los medios, 12; Cantarero, “Periodismo en El Salvador: En Casa de Herrero Cuchillo de Palo, una fiscalización pendiente,” 8.
on journalists and the media because of provisions that threaten to revoke their credentials or sentence them to jail time for slander or libel. Consequently, many journalists have imposed upon themselves a significant degree of self-censorship.\(^{177}\)

e) Media access to public information is restricted: public institutions, primarily in the executive branch, impede journalists’ access to information of a public nature. No legal mechanisms exist that oblige officials to hand over information, and in these situations it is left to their discretion as to what type of information can be provided and when. For example, institutions in the judicial branch, “closely guard information about budget management in connection with expenses, hiring of personnel, and capital expenditures.”\(^{178}\)

Some laws allow for exemptions, which also restrict free access to information. For example, Articles 272 and 273 of the Penal Code set restrictions on access to trials “under Article 31 of the Civil Service Act, it is the duty of civil servants and public employees ‘to maintain the necessary reserve and discretion in matters about which they have knowledge as a function of their employment.’”\(^{179}\) Overall, secrecy and privileged handling of information reign in government, political parties, the corporate sector, and civic groups.\(^{180}\)

4.5 Strengths and Weaknesses of International Media Assistance

**Strengths**

International assistance has contributed to modernization of the media in several ways: by training and educating journalists, improving the supply and diversity of news and investigative reporting, and promoting pluralism of opinion. This integral approach seems significant, since if there had been change in only one of these variables (e.g. journalist training), without an effect on the others, the impact would have been very limited. It does not help much to have better trained journalists if they cannot put into practice what they have learned in a milieu of media outlets and programs that enable them to practice journalism in a responsible, serious, and professional manner.

Donors are more aware that the media is made up of businesses that need to be profitable in order to function well. That is why they are choosing more often to work with media owners who are committed to the democratic process, know the market, and know how to run a business.

**Weaknesses**

Some agencies have supported the creation and maintenance of new media outlets, convinced that it was necessary to create something new in order to be able to develop more professional, responsible journalism. This strategy grew out a sense that it was not realistic to try to change the conventional media from the inside. In this context, several new media outlets were created (Tendencias, Primera Plana and several community radio stations) without prior assurance that they would be managed by


\(^{179}\) Article 19, Submission on El Salvador’s Third Periodic Report to the UN Human Rights Committee, 12.

\(^{180}\) PROBIDAD El Salvador, Balance: estado de la libertad de expresión, 2.
individuals or groups who had minimal managerial or administrative capabilities. As time went on, this approach was seen to be misguided: these media outlets ended up being heavily subsidized by international aid and devoid of managerial ability to raise their own revenues. Some of these media outlets were created by former guerrillas and foreign journalists. Their good intentions were not enough, however. To keep afloat, a media outlet also needs to have well-coordinated managerial and administrative capacity, and be able to strike a balance between the communications project and the need to be a commercial, profitable venture.

With some exceptions, the aid tends to be short or medium-term. A long-term vision is missing. Despite the high approval rating of the viewing audience, several innovative TV programs have gone off the air after international funding ended. This demonstrates a lack of strategic planning regarding self-financing mechanisms to ensure the permanence of certain programs. It takes time for investment in the media to take-off and/or establish a niche in the media market, so it is not easy to stay afloat or grow with short-term projects.

The Salvadoran legal framework includes various laws with provisions that run counter to freedom of expression, resulting in constraints on the practice of journalism. However, international agencies have not taken up this issue until quite recently.

International assistance agencies do not appear to have clearly defined objectives about their support for State media. Channel 10 in particular is used as a political instrument by the government in power and has no capacity to influence public opinion. The nature of Channel 10 and Radio Nacional need to be reviewed with the goal of transforming them into public media outlets at the service of the community.\textsuperscript{181}

\textsuperscript{181} Chamorro and Arene, \textit{El turno de los medios}, 20.
### 4.6 Lessons and Recommendations

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<th>International Assistance</th>
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<tr>
<td>1.1 Journalism training programs supported with international assistance can help improve journalists’ ethical principles and professional capabilities.</td>
<td>Even though there have been noticeable improvements, journalism degree programs in El Salvador still face serious limitations. The Ministry of Education, along with university authorities and APES, should design proposals for assistance aimed at strengthening capacities of journalism schools, with the goal of having these be better able to respond to media demands (e.g. a first project could be the review of journalism curriculum; another could be aimed at preparing educational material on journalism adapted to Salvadoran reality).</td>
<td>- Journalism training initiatives should be linked to producing a specific product (a TV or radio program, etc.), capable of being evaluated and disseminated in the media. - Establish and fund graduate scholarships for journalists to specialize in certain fields (economics, health, environment, etc.). - Enter into agreements with certain media outlets and fund scholarships that enable students to do their practical journalism training in these places.</td>
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<td>1.2 However, the impact of training is limited by lack of follow-up and advanced training, especially when journalists do not have full independence in the practice of their profession.</td>
<td>- Support local partners (media outlets with proven managerial and administrative capacity) that could become self-supporting after a given amount of time. Support should include a technical advice component, focused on designing a strategy for financial self-sustainability; some type of financial aid is also necessary during the transition period (under special conditions).</td>
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2.1 International assistance can play an important role in professionalizing the media by providing aid to produce innovative programs (made by journalists committed to journalistic professionalism).

2.2 However, the lack of financial self-sustainability threatens the survival of this type of programming.

<table>
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<th>Country</th>
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<td>Create a network (made up of eminent journalists, visionary media owners committed to independent journalism, and media scholars) in order to:</td>
<td>Assistance agencies should continue supporting the process of professionalizing the media, giving priority to initiatives from media outlets that are well placed, or could become so, in news, opinion, and public debate.</td>
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<tr>
<td>a) Explore and utilize available financial alternatives (specialized and soft loans) for creating and developing democratic media outlets (e.g. the Central America window of the Media Development Loan Fund);</td>
<td>- Support local partners (media outlets with proven managerial and administrative capacity) that could become self-supporting after a given amount of time. Support should include a technical advice component, focused on designing a strategy for financial self-sustainability; some type of financial aid is also necessary during the transition period (under special conditions).</td>
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<tr>
<td>b) Explore, together with European and U.S. counterparts, possible partnerships and joint investments that would make the creation of new media outlets and/or innovative programs possible.</td>
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182 Journalism degree programs in El Salvador have an overly academic focus and “are lagging behind the demands of the media for practical training and general culture." Other problems are the lack of a systematic relationship with the media to institutionalize practical training for journalism students, the lack of sufficient hands-on experience of many of the professors and deficient equipment for practical training. Additionally, there are not enough journalists specialized in certain fields and not enough journalism textbooks adapted to Salvadoran reality. Interview with J. López; interview with C. Rosales; interview with D. Rivas; Chamorro and Arene, *El turno de los medios*, 10.

183 Information provided by A. Arene.

184 Ibid.
### Lessons

3.1 International assistance can play an important role in the creation of effective mechanisms for media self-regulation, one of these being the Code of Press Ethics.

3.2 However, the impact of the Code will remain limited if it is not assimilated by the journalism community and media owners.

### Country

Based on an evaluation of the existing experiences in Latin America, the possibility of creating a position of ombudsman (a reader or audience advocate) for media newsrooms should be studied. The ombudsman would be an eminent journalist hired by the media outlet to represent the readers before the media organization.

The media should create permanent public venues for debating its role and contribution to democratization.

### International Assistance

Financial assistance is needed to:

- a) Disseminate the Code of Press Ethics in the media operating across the country (through discussion forums or seminars).
- b) Sustain other mechanisms that enable civil society to audit media performance; one of these mechanisms could be a Media Watch Group (jointly implemented by APES, PROBIDAD and FESPAD), with the objective of continually monitoring and analyzing media performance.

4.1 With support from external aid, media-related civil society organizations could play a proactive role, pushing forward the process of modernizing journalism.

4.2 However, these agencies are vulnerable, given that they depend upon assistance to carry out much of their activities.

### Country

These are non-profit organizations, and since local contributions are minimal, it is difficult for them to sustain their activities over time without receiving outside financial assistance. New sources for local funding should be sought, along with external funding alternatives (such as universities and foreign organizations specializing in the media), with the goal of entering into long-term assistance agreements (technical and financial).

5.1 The legal framework, and reforms thereof, should emerge as a new area of intervention for international assistance, given the existence of laws restricting the freedom of expression and, consequently, the exercise of journalism.

5.2 One specific area for intervention should deal with the right to access public information, which is not fully guaranteed at present.

### International Assistance

Review the laws and adapt them to conform to international agreements signed by El Salvador in this connection.

A new national law is not necessarily needed; public authorities “can delineate this regulatory framework and enforce it through a memorandum, a municipal ordinance, a ministerial agreement, or an internal regulation.” Another option is “to include one or two clauses in some law..., to rescind certain memoranda or regulations that prohibit giving information, or simply to order those in charge of public attention to provide the information requested.”

Additionally, “habeas data” should be recognized, which is a means for showing documents in the public interest to the media and for a journalist to investigate information sources that have been closed to him or her.

### Additional Notes


186 “Habeas data” is the petition a person files to have access to information about him or herself or his or her property, or to protect the confidentiality of this information from third parties.” UNDP, *Segundo informe sobre desarrollo humano*, 308; R. Bracamonte, “Medios de comunicación social y democracia en la actualidad en El Salvador,” in *Medios de comunicación y democracia en El Salvador*, ed. R. Bracamonte and S. Roggenbuck, San Salvador, 1996, 39.
V. Conclusions and Recommendations

5.1 Conclusions

1) Generally speaking, international assistance has contributed to democratization in El Salvador, by supporting election processes, contributing to the creation of a local institutional framework for human rights, and by fostering freedom of expression, transparency, and access to information in the media;

2) The generally positive impact of international assistance on the consolidation of democracy has been more qualitative than quantitative. The data used in this study, despite its limitations, show that the amount of money given through international assistance for elections, human rights and the media have not been substantial (especially in the case of the media) and have followed a downward trend since the Peace Accords (especially human rights assistance);

3) Despite the relatively low amounts from international assistance for the areas under study, it has had a significant impact on advancing the process of democratization. International assistance contributed to the electoral process, especially during the most difficult times following the signing of the Peace Accords and played a role (especially ONUSAL) in the important presidential, legislative and municipal elections of 1994, where the FMLN took part for the first time. The ongoing, later support for institution building in the electoral system, along with electoral infrastructure and procedures, contributed to giving greater legitimacy and transparency to Salvadoran electoral processes. International assistance had an equally positive impact on building up the State and non-governmental agencies in charge of protecting and promoting human rights, especially through technical and financial assistance to the office of the Human Rights Ombudsman, the National Civilian Police, and the office of the Attorney General, as well as to NGOs and academic institutions. Finally, it is undeniable that despite its modest contribution, international assistance helped to fostering freedom of expression, giving priority to the development of alternative media, debate programs, and the dissemination of ideas and objective information;

4) In the field of electoral assistance, the United Nations, especially the Electoral Division of ONUSAL, merits special consideration for its contribution in mounting the important 1994 general elections, along with its support to the Supreme Electoral Tribunal (TSE) for institution building, organizing the elections, voter registration, screening the electoral roll, supervision, poll-watching, etc. Unquestionably, ONUSAL’s intervention and contribution to holding elections, especially in 1994, set an important precedent for the functioning of future elections. In recent years, electoral assistance has had a significant impact on improving the electoral roll and vote counting and on implementation of the Universal Identity Document (DUI). International assistance has also contributed, although with less strength or success, to citizens playing a certain role as watchdog over the electoral process, through its support to NGOs like the Consortium of NGOs for Civic Education (CoCívica);
5) Despite this aid, international assistance has not had a significant impact or presence in other key areas of political electoral activity that could contribute to consolidating the democratic process, such as the internal democratization of political parties, residential voting, voting for Salvadorans outside the country, the electoral representation system, and making the Supreme Electoral Tribunal non-partisan;

6) In the area of human rights assistance, support for the creation and maintenance of the office of the Human Rights Ombudsman stands out. Even though the sums of assistance were much below the needs and responsibilities of the office of the Ombudsman—particularly in the first years after the Peace Accords were signed—international assistance fostered the institutional consolidation of this new agency. External assistance also contributed, through aid to various programs in the office of the Ombudsman, to increasing the office’s presence in Salvadoran society and its ability to defend citizens against abuses by the State. However, even though the support did have an effect on making the Human Rights Ombudsman a more visible presence around the country and on promoting human rights, it has not had an impact on internal institution building or on the office’s capacity to pressure or influence State institutions;

7) Both governmental and non-governmental international assistance made significant efforts and contributions toward the creation and development of civic human rights defense organizations, mainly local NGOs, especially during the first years following the signing of the Peace Accords. This support has been gradually decreasing, however, and civil society human rights organizations have been weakening, though not solely due to the decreased support from external assistance, but also to lack of leadership and internal organizational capacity;

8) Human rights assistance has focused more on aid for basic human rights, civil liberties and political rights. Very little attention has been given to economic and social rights, such as the right to health, primary education, housing, decent jobs, etc;

9) International human rights assistance has dropped off noticeably in recent years, and an adequate exit strategy has not been put in place;

10) In the area of media assistance and its contribution to the consolidation of democracy, international assistance has also had a positive impact, despite the low amounts granted in this area. The main impact has been made through support for debate programs in the media, especially television; contributions to programs for investigative reporting; training and professionalizing journalists; contributions to developing or improving journalism degree programs; sustaining key civil society agencies in the field, such as the Association of Journalists of El Salvador (APES), and NGOs like PROBIDAD, etc. International assistance has also contributed to the “democratization” of the media (media ownership spread among more individuals or corporations) and the development of independent journalism, to the extent that the aid has supported the installation or functioning of private or community media outlets that serve as a counterbalance to the strong media monopoly in El Salvador;

11) Despite the favorable impact on democratization of the media, international assistance in this area has been uncertain and unstable and has lacked clear, sustained policies for the support it gives.


Recommendations

Bearing in mind the positive impact of international assistance, as well as its weaknesses and limitations, we offer the following recommendations, many of which have already been mentioned.

International Electoral Assistance

- Incorporate into assistance programs or strengthen efforts to depoliticize the TSE and modernize its management structures and methods, in order to simplify the complex voter registration process, improve citizen information services, and decentralize voting centers, among other things. To begin with, international assistance agencies should undertake or commission a study that would design a new organizational and operating structure for the TSE, as well as new mechanisms for electing its members. The dissemination of this study should be entrusted to a qualified group of NGOs and universities for promoting its implementation.

- Contribute to setting up ongoing electoral education programs that contribute to strengthening democratic culture and go beyond electoral events.

- Over the short term, priority should be given to support for implementing specific, detailed projects, such as the following: (a) Modernization and institution building of the TSE, to ensure that the agency acquires full jurisdictional, administrative, and financial autonomy on electoral affairs and is therefore not subordinate to any branch of government, as set forth in the Electoral Code. (b) Creation of a new legal framework: it is very important for international assistance to support the passage and implementation of electoral reforms. (c) Implementation of residential voting, in order to bring polling stations closer to the voters and facilitate the effective screening of the Electoral Roll. (d) Support for the efforts of civil society organizations that monitor and follow-up electoral processes.

Human Rights Assistance

- Given the weakness of civic organizations working in the human rights field, international assistance should continue supporting NGO efforts, particularly in the areas of strategic planning, grassroots legal education and promotion in the area of human rights, defense of the rights of children and women, and the defense of economic and social rights. NGO technical capacity also needs to be strengthened to facilitate their use of international protection systems.

- Foster a greater capacity for dialogue and understanding between governmental and non-governmental human rights institutions. International assistance should contribute to the State implementing a way of working that includes dialogue and contact with civil society, through human rights NGOs and similar associations, with the objective of implementing their human rights public policy advocacy strategy.

- Assistance should contribute to the State implementing a strategy for inter-institutional collaboration to prepare, execute, follow-up, and evaluate human rights public policy.

- As indicated in Chapter III, international assistance agencies should consider a more effective strategy for achieving an impact and influence over human rights public policy. They should consider, among other things, the following specific suggestions:
• Gather in depth information about the country’s human rights situation, using reliable, independent, impartial sources;
• Size up the substantive needs for technical and financial assistance beforehand;
• Become fully informed about the assistance already being provided or planned for the country, in order to prevent duplicating aid or spreading it too thin;
• Identify the principal local spokespeople and most reliable governmental and non-governmental human rights institutions;
• Set priorities for the thematic areas for human rights assistance;
• Introduce added value that enables guaranteeing, to the fullest extent possible, the sustainability of human rights work in governmental and non-governmental sectors;
• Provide effective monitoring of the execution of projects receiving assistance, using impact and outcome indicators and a process of mid-term and final evaluations;
• Request that UNDP update, systematize and complete all information relative to international human rights assistance.

International Media Assistance
• Provide financial and technical support to an independent commission made up of diverse sectors (journalists, deputies, scholars, etc.) to review laws and make recommendations for bringing them into line with international agreements signed by El Salvador in connection with freedom of expression;
• Provide financial backing for opening and encouraging public debate (with the participation of all interested sectors) on the issue of access to information;
• Establish and fund graduate scholarships for journalists to specialize in certain fields (economics, health, environment, etc.). Enter into agreements with certain media outlets and fund scholarships that enable students to do their practical journalism training in these places. Fund development of educational material on journalism that is adapted to Salvadoran reality;
• Continue supporting the process of professionalizing the media, giving priority to initiatives from media outlets that are well placed, or could become so, in news, opinion and public debate;
• Support local partners (media outlets with administrative and financial managerial capacity) that would be able to become self-supporting after a certain amount of time. Include technical advice for designing a strategy for financial self-sustainability. In this context, assistance agencies could support a coalition of journalists, businesspeople, academic institutions, and research centers, in order to foster a new communications project;
• Give financial support to disseminating the Code of Press Ethics; develop and sustain the initiative for a Media Watch Group (jointly implemented by APES, PROBIDAD and FESPAD);
• Promote debate on the specific nature and role of the public media on the country’s communications map and in the process of democratization.
Bibliography

Printed Documents


FESPAD (Foundation for the Study of the Application of Law). List of projects: Itinerant School of Economic, Social, and Cultural Rights; Contest on the Rights of Children in Public Schools; Strengthening Citizen Capacity in the Defense and Promotion of Human Rights; Legal and Institutional Research; Training Social Leaders; and Preparing Reports on Economic, Social and Cultural Rights; Monitoring and Protection of Economic, Social, and Cultural Rights; Attention to Refugees in El Salvador.


IDHUCA (Human Rights Institute of the University of Central America). Internationally funded projects operating in 2003.


**Internet Documents**


List of Persons Interviewed

For the Elections Chapter
Antonio Cañas (UNDP)
Ingeniero Mora (in charge of TSE projects)
Roberto Viera (TSE Magistrate)
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Otto Vidaurre and David Holiday (CREA)
Mauricio Herrera (AID)
José Antonio Palacios (Executive Director of the Vigilance Board)
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For the Human Rights Chapter
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Carlos Mauricio Molina Fonseca (former Human Rights Ombudsman)
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Juan Carlos Sánchez (Foundation for the Study of the Application of Law, FESPAD)
Flora Mata (UNDP official-El Salvador)
Eva Patricia Rodríguez (Manager of Justice and Human Rights Projects, United States Agency for International Development, USAID)
Francisco Sancho López (General Coordinator for Spanish Cooperation in El Salvador. Embassy of Spain)

For the Media Chapter
Ernesto Alschult, former Secretary of the National Secretariat of Communications of the Presidency of the Republic, and Director of Channel 10
Beatriz Barraza, Consultant for HIVOS (Netherlands)
Narciso Castillo, Director of Channel 33
Pedro Martín García V, National Representative for El Salvador, Diakonia (Sweden)
Franzi Hasbún, specialist in communications media
Jaime López, President of the Governing Board of PROBIADAD
William G. Meléndez, President de APES and journalist
Carolina Poggio, Regional Representative for El Salvador, Diakonia (Sweden)
Lina Pohl, Local Director of the Office for Central America, Böll Foundation (Germany)
David Rivas Alvarado, Coordinator of undergraduate degree in Communications and Journalism at the University of Central America (UCA)
Maria Dolores Rosa, Program Coordinator, Ebert Foundation (Germany)
Carlos A. Rosales, Secretary of Communications, Presidential Palace
Roberto Turcios, former Executive Director of Tendencias magazine
Héctor Vides, Executive Director of the Association of Participatory Radio Stations and Programs of El Salvador (ARPAS)
Annexes

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<td>Other</td>
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<td><strong>TOTAL DONORS</strong></td>
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OECD (2003)

Changes in the 1991 Constitution

Right to Monitor the Electoral Roll
The change in Art. 77 included the right of registered political parties to oversee the preparation, organization, publication, and updating of the Electoral Roll.

Bans on Ministers of Religion, Military Personnel and Police Officers
Through the reform of Art. 82, ministers of any religion, members of the Armed Forces on active duty, and members of the National Civilian Police were prohibited from belonging to political parties or being elected to public office. They were also prohibited from campaigning. In addition, it was stipulated that the places used as polling centers would be regulated by code, but that in no case could they be in military or public security compounds.

Creation of the Supreme Electoral Tribunal
Art. 208 of the Constitution was amended, substituting the previous Central Council on Elections with the current Supreme Electoral Tribunal (TSE), which would be made up of five magistrates, elected by the Legislative Assembly for five-year terms. Three of these would be selected from slates proposed by the political parties that had won the greatest number of votes in the last presidential election and the remaining two from slates of people without any party affiliation proposed by the Supreme Court. The Chief Magistrate would be from the party that had obtained the greatest number of votes in the last presidential election.

Changes in the 1993 Electoral Code

Creation of the National Electoral District
The national electoral district was created in addition to the already existing departmental and municipal districts. No changes were made in the departmental districts for the election and allocation of deputies and the makeup of municipal councils.

Establishment of the National Register of Natural Persons (RNPN), under the Authority of the TSE
Before the Peace Accords, the Electoral Roll was prepared by the CCE based on required information submitted by the municipalities from the personal identity documents they issued. The new RNPN maintains a record of all current information on the marital status of all Salvadorans, who are issued a Documento Único de Identidad (DUI- Universal Identity Document), which serves as proof of identity for citizens when registering to vote. Even though it has taken a long time to develop the RNPN, it has...
turned out to be much more secure and reliable. The DUI will be used for the first time in the 2004 elections.

**Extensive Regulation of the Supreme Electoral Tribunal**
According to the Code, it is the responsibility of the TSE to convene, run, and monitor elections; perform the preliminary and final vote counts; publicize the results; and declare them binding. It is also responsible for the Electoral Roll. The TSE designs the security plan for the elections, it appoints the departmental and municipal election boards, and it can postpone all or part of the elections for the time it considers necessary when serious disturbances occur to public order. The new Code also diversifies, broadens, and details with greater precision the Tribunal’s internal organization.

**Stipulation of the Supreme Electoral Tribunal as the Highest Authority in Electoral Affairs**
According to the Code, the TSE is the highest authority on electoral affairs, and the only remedies against its resolutions are those set forth in the Constitution for constitutional violations.

**Establishment of the Electoral Counsel**
The Electoral Counsel is under the authority of the office of the Attorney General and is responsible for overseeing and monitoring the electoral process so that it will be free and fair.

**An Increase in the Number of Members needed to form a Political Party**
In the current Code, the number of members needed to form a political party is increased from the 3,000 required in the previous Code to a number equal to three percent of the valid votes cast in the last presidential election.

**An Increase in the Minimum Number of Votes a Party must get to avoid Elimination**
The number of votes needed for the legal survival of a party is an amount equal to three percent of the valid votes cast in the last presidential or legislative election in which the party participated. In the case of coalitions under a single emblem, the amount is raised to 6% if the coalition is made up of two parties, to 9% if there are three, to 10% if there are four, and then an additional 1% increase for each additional party.

**Inclusion and Regulation of Elections for Deputies to the Central American Parliament**
The deputies of the Central American Parliament are elected in the same manner as deputies for the national electoral district and have the same candidacy requirements as all deputies.

**Political Party Funding keeps Pace with Inflation**
The party financing system, which used to be a predetermined amount set by law, is now done by appraising the votes according to the amount paid in the prior election, plus accrued inflation. It also adds extra funding for parties that participate in presidential runoff elections and advance payments for parties running for the first time.

**Personal and Registration Requirements for Candidates remain the Same**
There is a slight change in the registration periods.
Voting
The 1993 Code, like the 1988 Code, regulates everything related to the prior distribution of ballot boxes and ballots, their installation, and functioning on election day with the presence of representatives of the political parties that certify poll-watchers. On election day, citizens go to polling centers set up in the urban seat of the municipalities, which are open continuously from 7:00 a.m. to 5:00 p.m. At the end of voting, the Polling Station Boards, in the presence of the party poll-watchers, count the votes in the same place, observing all legal procedures. The results are documented in acts signed by the Polling Station Board members and poll-watchers. Then, the ballots, properly separated, and the other documentation are packaged and transferred personally by the Board and poll-watchers to the Municipal Electoral Board, which, on the basis of all the acts from its municipality, makes a preliminary total count and then, accompanied by the party poll-watchers, transports all the packets from all the polling stations to the Departmental Electoral Board. The Departmental Board, always accompanied by the party poll-watchers, transfers the acts and documentation from all the municipalities in the Department to the Supreme Electoral Tribunal, in San Salvador, which performs the final vote count.

Legal Protection of the Electoral Process
The 1993 Code includes almost all of the fundamental regulations from the previous Code regarding legal protection of the process. The Code has a title on infractions and sanctions and its chapters regulate the responsibilities, prohibitions, and sanctions of government officials and employees, while protecting their job tenure from any party-based action. Another chapter regulates the actions of private individuals or groups, including specific mention of the media, a ban on parties forming groups to induce voting, and prohibiting foreigners from campaigning.

Appeals
Resolutions issued by electoral bodies may be appealed to the body itself for repeal or to the next higher authority for review, except in the case of the TSE, which must resolve the issue itself. The new Code introduces the appeals to the higher authority, with greater complexity and procedural guarantees, such as accepting evidence. The 1993 Code includes petitions for revoking a candidate’s registration and for invalidating general elections, partial elections, polling stations, and ballots. Grounds and procedures remain essentially the same.
### Annex: 3 Electoral Results (1982-2004)\(^\text{187}\)

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\(^187\) Even though data for the 1988 and 1989 Registers have been taken from a TSE publication they are incongruent, in that the 1982 electoral roll had 1.9 million voters, higher than that of 1988, when logically it should have increased over the decade. It should also be noted that before 1989, the rolls were prepared based on the personal identity cards issued, and it was not until the 1989 elections that people voted with a voter card. In preparation for this, following the 1988 elections the Register was screened and voter cards issued, so that the roll should decrease in size in 1989, and not before.
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Annex 4: Remaining Electoral Problems in El Salvador

Screening the Electoral Roll

Inadequacies in the Salvadoran Electoral Roll have been continually pointed out by the different UN electoral assistance missions and by various actors in the electoral process. In a November 1997 report, following the March 16 elections, the UN mission mentioned that the problems with the Electoral Roll have to do with the quality of the information associated with each voter and to its incomplete coverage, which constitutes a serious defect because unregistered citizens are effectively disenfranchised.188

The Electoral Roll’s coverage has improved in recent years. For example, in the March 2000 elections, the roll closed with 3,264,724 electors registered, while in March 1997 the roll closed with 3,004,134, a difference of 260,590.189 However, the roll contains a number of defects that have not been overcome despite all the assistance programs implemented to reorganize it. The Consortium of NGOs for Civic Education (CoCívica) in its Assessment of the Salvadoran Electoral System, mentions, among other things, the following:

- The roll is outdated and incomplete because municipal officials do not always comply with their obligation to send copies of the records in the Civil Register to the TSE so that the TSE can verify the identity of citizens applying to register to vote;
- Lack of a unified format for records and requirements for precision in the information the mayors’ offices send to the TSE, making it enormously difficult to remove deceased persons’ names from the Electoral Roll, since the information on death certificates rarely corresponds to that of the records that validated voter registration;
- Complicated registration procedures and poorly trained staff. It points out that months or years can go by between filling out the registration request (SIRE) and receipt of the voter card. Contrary to what happens in other countries, voter registration is not automatic when citizens obtain their identity document;
- Centralization of the Electoral Roll in cities and towns, making the procedure more difficult and increasing the effort of citizens and the responsible institutions;
- Lack of a permanent information and consultation system for the Electoral Roll.

For all these reasons, the report stated the need for adopting a new system for the Electoral Roll based on the DUI and residential voting.

189 Ibid., p. 31.
The DUI and Residential Voting

In April 2003, the TSE released institutional guidelines for residential voting and use of the DUI (Universal Identity Document) for the 2004 elections. This conforms to the mandate set forth in legislative decrees 293 and 834, which clearly state that the residential voting system using the DUI shall be in force beginning in 2004.

Issuance of the DUI has advanced. As of August 11, 2003, some 3,176,000 had been issued and they expected to reach 3.5 million by the date elections are called. This would surpass the 3,209,230 cards issued for the 2003 elections.

The residential voting system allows for organizing voting centers according to where people live. In this system, the number of voting centers depends on the voting population in each electoral district defined on the basis of geographic and population criteria. Thus, according to the population criteria, an electoral district is an area with a population of 400 or more electors; and using the geographical criteria, the population should live within a radius of approximately 1 km around the voting center in urban areas and 3 km in rural areas.

Residential voting will do away with large concentrations of voting centers in the cities and facilitate the right to vote, especially for people in rural areas who have had to travel long distances to get to voting centers. Under the residential voting system there will be more voting centers (approximately 2,000) but they will be more accessible to voters.

For several years, the TSE has been working to create the necessary conditions for implementing residential voting. Following are some of the advances made.

Electoral Mapping

With the purpose of providing the cartographic base for making implementation of residential voting possible for the 2004 elections, the Electoral Mapping Unit of the TSE has been working since 1998 on updating the political-administrative division of El Salvador. The TSE now has a current map of El Salvador showing departmental, municipal, and cantonal limits, along with city and town maps for the 262 departmental and municipal seats, as of 2003.

In July 2003, the TSE proposed the need to take a technical leap forward, through advanced training for their personnel in the use of modern cartographic information processing tools, especially in digital format. A proposal was written for training the 16 technicians in the Electoral Cartography Unit in the use of administrative and digital information processing tools.

With implementation of this training project, submitted to USAID for US$8,136, it is expected that the participants will learn how to run a geographic information system and be able to produce information that aids in decision-making.

Mention should be made that the TSE intended to have the electoral mapping of the 14 departments done by the end of September 2003. However, as of 15 August 2003, they had only

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193 Ibid., p. 27 et. seq.
completed the mapping of nine departments, which was given to the political parties for their observations.\textsuperscript{194}

\textit{New Electoral Roll}

The new Electoral Roll based on the DUI involves maintaining a connection with the National Register of Natural Persons (RNPN), which should provide the information needed by the TSE in a fluid, ongoing manner. The TSE has been working with the RNPN for over a year seeking to link up the databases. The rolls being prepared by the TSE for the upcoming elections will have new features that will lend greater security and transparency to voters: photograph and digitalized signature of the voter.

UNDP has supported a two-stage modernization of the Electoral Roll. First, by procurement of hardware and software and the development of applications that served the needs of the previous system based on the voter card. Then, later, through support for a project based on a study by the National Information Technology Services Director of the Electoral Tribunal of Panama, who, as a USAID-sponsored advisor for the TSE modernization project, developed the technical proposal for resolving the TSE-RNPN technological interface problem. This project cost US$1,094,360, of which approximately US$300,000 was provided by UNDP and USAID, with the remaining US$700,000 allocated by the Salvadoran government.

This second-stage project has included acquisition of the infrastructure to ensure compatibility of the TSE and RNPN databases, in order to set the stage for data sharing between the two institutions in the future. Currently, information from the RNPN is hand delivered in packages, and then entered into the database of the new Electoral Roll. It is hoped that in the future data will be transferred automatically.

\textit{Regulatory Framework and Budget for the 2004 Elections}

In order to provide greater institutional and legal support to residential voting and use of the DUI, in July 2003 the TSE submitted a proposal for specific reforms to regulate the electoral uses of the DUI, the relationship between the RNPN and the TSE, mapping, and photographic electoral rolls. At the same time, the TSE submitted a special supplementary budget for the elections for implementing the new systems.

Despite all these advances, on 16 September 2003, members of the TSE appeared before the Electoral Commission of the Legislative Assembly to discuss the status of implementing residential voting for the March 2004 presidential elections and contradicted each other regarding whether they would be ready. Deputies from ARENA and the PCN took advantage of this situation and refused to give their support for residential voting due to lack of unanimity on the TSE. As a result, a special provision was adopted, which postpones residential voting until the 2006 municipal and legislative elections.

In a paid advertisement published on Sunday, September 21, six magistrates from the TSE (three members and three alternates) rejected the argument that the Tribunal was not prepared to implement residential voting, stating that this was an excuse to deny support for the project.\textsuperscript{195}

Rejection of residential voting did not impede passage of other reforms to the Electoral Code, including elimination of the voter card and its replacement by the DUI, along with reforms related to

\textsuperscript{194} Consorcio de ONGs de Educación Cívica, Monitoreo al proceso electoral, op. cit., p. 26 et. seq.

\textsuperscript{195} El Diario de Hoy, Sunday 21 December 2003, p. 18.
the new electoral roll, the database for which will come from the RNPN, based on the DUIs issued. Furthermore, it was also stipulated that the electoral rolls will include digitalized photographs.

**Internal Modernization of the TSE**

Everyone agrees about the need to reform and modernize the TSE so that it will have the capacity to respond to the demands inherent in overseeing the holding of elections. Indeed, many concur that the TSE is ineffective at this job because its human resources structure is “decided on the basis of party interests and not technical criteria for selection and qualifications of staff.” Mr. Edgar Mejía, in charge of the March 2000 elections, sums up the current situation in the TSE and the necessary reform in this way:

“Administration in the TSE is inadequate and everything falls to the collegial body; it needs an executive director and an elections department. The agency needs to be reengineered, separating its administrative and judicial functions.”

An institutional assessment of the TSE pointed out, among other things, that it is a highly politicized institution, with very inadequate staffing and outdated technology that has great difficulties in taking quick, timely decisions. In addition, the TSE administration is seen as exceedingly bureaucratic, with a partisan structure and a poor public image.

The TSE modernization project proposal was presented in 2001 and contains three areas of action:

a) Strategic institutional planning leading to an institutional strategic plan for the TSE for 2001-2005;

b) Reengineering of processes, stressing preparation of the Electoral Roll, procurement of goods and services, the electoral process, and administration of the compensation/remuneration system;

c) Designing a new organizational structure that responds to the TSE’s new technical, operational and institutional demands.

The technical study phase of the modernization project was funded by USAID through the organization CREA International of El Salvador (CREA) under its Program of Support for Public Reengineering. One of this program’s three components involves electoral processes and is primarily targeted at assisting modernization efforts in governmental institutions working in the field, through technical assistance and programs for institutional development and administrative modernization. The following benefits are expected from this program:

- A modern, efficient administration;
- Optimal, appropriate use of TSE material resources;

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196 Ibid., p. 24.
197 Quoted by the Consorcio de ONGs de Educación Cívica, in Diagnóstico, op. cit., p. 24.
198 RV Asesores, Consultoría al Tribunal Supremo Electoral, Diagnóstico Institucional TSE, p. 32.
199 Ibid., p. 5.
- A better-trained staff at the TSE that is more appropriate for performing their professional duties;
- The TSE’s professional performance will have increased public credibility;
- Efficient, modern voter registration methods.

It is important to note that the TSE, after having made some institutional efforts, such as creating the Department of Information and Electoral Mapping Technology, has expressed its desire to continue with the modernization project, through the execution and follow-up on recommendations and proposals coming out of the CREA project, which for the most part have remained written on paper, nothing more.

For this purpose, the TSE has again applied for aid from USAID for US$9,000 to retain a consultant who will advise the TSE and update the documents resulting from the CREA supported consultancy, taking into account changes resulting from the process to change the system over from citywide voting with the voting card to residential voting using the DUI.

**Legal Reforms**

As part of its institutional modernization plan, the TSE presented four draft laws to the Legislative Assembly in January 2003, which sought an overhaul of the electoral system. These include a Political Parties Law, an Organic Law of the TSE, an Electoral Procedures Law, and an Electoral Law. CREA provided support to the TSE for drafting this proposed legislation.

Following are the main new features in the proposed laws and their fate when they were filed with the legislature:

**Political Parties Law**
This initiative to modernize and democratize the political parties is an attempt to regain the public trust and ensure the viability of the democratic process. The proposed law recognizes the authority of the TSE and the Court of Accounts to audit the administration of party assets. Regarding the internal regulation of the parties, primary elections and structures for internal elections are proposed. It also sets forth the grounds for disbanding parties and the legal remedies available to their members. Finally, one of the crucial prerequisites for registering a party is clearance from the Court of Accounts, certifying that the founder is not in debt to the government.

For now, there is no law in process, nor has any ever been sent to the floor of the Legislative Assembly.

**Organic Law of the TSE**
The purpose of the proposed organic law is to regulate the organization and internal operations of the administrative area of all the units of the Supreme Electoral Tribunal. The provisions in this regulation include the operative separation of judicial and administrative functions. It creates the position of Administrative Executive Director, who functions as a link between the collegial agency and the personnel of the administration and the Judicial Secretariat. It creates the Electoral Training School and a specialized applications development unit, to provide training and technical support on information technology in the institution. This bill has not been sent to the floor of the Legislative Assembly either.
**Electoral Procedures Law**

This law regulates how citizens and political parties can access electoral justice and includes rules regarding the termination and limitation on electoral actions. Some of its key provisions are the inclusion of the Electoral Counsel as a party to actions, which shall be served notice of all lawsuits brought before the Tribunal; mandatory representation for initiating an electoral action; procedures for serving notice, etc. It also includes the principle of the admissibility of evidence on electoral matters, and rules of evidence.

**Electoral Law**

This proposed law will regulate electoral procedures for president and vice president, municipal councils and deputies to the Legislative Assembly and the Central American Parliament. It also establishes the functions that everyone subject to electoral law has in electoral proceedings. The draft law sets guidelines for producing the Electoral Roll, assigning functions to the RNPN for transferring data to the TSE, and establishing a permanent system so the public, political parties, and coalitions can consult the roll.

Despite the resources invested in drafting these proposed laws and the efforts made by the TSE, the political parties in the Legislative Assembly have not shown much interest in discussing or passing these reforms. These proposals, like so many others, are tucked away in the filing cabinets of parliament.

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### Projects in execution

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</table>

*Source: United Nations Development Program, UNDP, Representation in El Salvador*
Annex 6: Human Rights Projects (CDHES, FESPAD, Consortium)

CDHES

a) **Assistance Agency**: Diakonia (Sweden). **Areas of assistance**: grassroots human rights education; creation of municipal human rights centers; capacity strengthening for non-formal human rights defense; training outreach workers; emphasis on economic, social and cultural rights and the environment. **Coverage**: 10 of the country’s 14 departments. **Duration of project**: 3 years, ending in December 2003;

b) **Assistance Agency**: United Nations, Program for “Medical and Psychological Care for Victims of Torture and the Socio-political Conflict.” **Area of assistance**: project for the care of torture victims and their family members. **Start**: 1988. **Coverage**: 150 persons in three communities in the interior of the country.

FESPAD

The following are the largest international assistance projects that FESPAD has administered and executed:

a) **Assistance agency**: ICCO (Netherlands). **Project**: Traveling Economic, Social, and Cultural Rights School. **Period**: 3 years. **Area**: Training community and grassroots social organization leaders in the interior of the country. This project is one of the most important ones being executed because of the nature of the subject it addresses;

b) **Assistance agency**: Save the Children Sweden. **Area**: competition on the rights of children in public schools. **Coverage**: 13 departments of the country. This project fosters promotion of human rights and the rights of children in the country’s formal education system and has national coverage and has been well received. No other NGO has the impact FESPAD has on human rights education in public schools with international assistance;

c) **Assistance agency**: CIDA (Canada-El Salvador Development Fund). **Area**: Building citizen capacity in the promotion and defense of human rights; legal and institutional research; training social leaders; and preparation of reports on economic, social and cultural rights;

d) **Assistance agency**: Heinrich Böll Foundation (Germany). Project: “Monitoring and protection of economic, social, cultural and environmental rights.” **Area**: Promotion and legal assistance for vulnerable groups; protection and legal assistance to dismissed government employees; accompanying victims of human rights violations and submission of cases to the Inter-American Commission on Human Rights of the OAS, together with the Center for Justice and International Law (CEJIL);
e) **Assistance agency:** United Nations High Commissioner for Refugees (UNHCR). **Project:** “Assistance to Refugees in El Salvador.” **Area:** Legal and humanitarian aid to Colombian refugees.

**Consortium**

a) **Project name:** “Specialized training for promoters on resolving cases of human rights violations and strengthening protection mechanisms.” **Time period:** October 1996 to December 1997 with assistance from CIDA. This project helped build internal capacity in consortium member agencies. Even though the consortium’s members have many years of experience working in human rights in the country, some of their staff do not have technical mastery of the human rights area, which is why international assistance for internal technical strengthening is key to building the consortium’s institutional capacity;

b) **Project name:** “Legal and social protection services for cases of human rights violations in rural El Salvador.” **Objective:** Providing project beneficiaries with access to information about their rights and national protection mechanisms, especially basic legal procedures and procedures in the office of the Human Rights Ombudsman. **Time period:** January to December 1998. This project was executed with assistance from CIDA;

c) **Project name:** “Education and participation, the basis for human rights promotion.” **Objective:** training community leaders and preparing human rights education strategies. **Time period:** The first phase of this project was executed between June 1998 and May 1999 with assistance from the government of the Netherlands.

d) **Project name:** “Strengthening societal protection of human rights in the community sphere in El Salvador.” **Objective:** to consolidate human rights protection actions, and legal and social assistance in cases of violations, using previously trained promoters to advocate for solutions in the judicial system. **Time period:** January 1999 to January 2000 with assistance from CIDA.

e) **Project name:** “Public defense and monitoring to increase respect for human rights in El Salvador.” **Objective:** to influence State institutions through social monitoring to improve respect for human rights. **Time period:** February 2001 through January 2003. This project was funded by CIDA.

f) **Project name:** “Human rights community school.” **Time period:** December 1999 to November 2002 with €708,923 support from the Netherlands. **Coverage:** 42 of the country’s 262 municipalities, located in 12 of the 14 departments.

Following are some of the accomplishments of this important project: Support to keep open 62 community centers that trained 119 volunteer community educators to teach basic human rights courses, using educational materials prepared for this purpose. The training was attended by 5,687 local community leaders, students, teachers, peasants and workers. Twelve issues of a quarterly magazine and 14 issues of a human rights primer were published. Thirty-eight different educational radio programs were broadcast by community and national radio stations. In addition, 1,595 community promotion activities were held in rural areas, benefiting 10,811 persons.
This project obtained comparatively good results and demonstrates that international assistance, when well used, can be quite beneficial to communities that truly need human rights assistance because of their vulnerability, poor information, and lack of access to justice and basic protection of their rights.

**Program name:** “Democracy and Human Rights.” **Funding:** This €2 million project has funding from the European Union; the Consortium must also provide €200,000 in matching funds, which the member agencies do not currently have. This is the largest grant the consortium has received to date. **Time period:** The project runs from 2002 to 2006, and is the only project the consortium is currently executing. **Objectives:** consolidation of the rule of law and democratic values; education for reconciliation, peace and democracy; promoting full compliance with the Peace Accords; strengthening civil society participation; facilitating access to justice and true equality under the law; and disseminating the democratic values of reconciliation and respect for human rights, paying special attention to political and social leaders. **Areas addressed:** democratic governance and the Peace Accords; sensitization in human rights and democratic culture; systematization and appropriation of experiences; and equity and social justice. The principal project components are: institution building; assessment and research; human rights promotion and defense actions; training, exchanges, and technical advisory services; dissemination of information and sensitization; and coordination, monitoring and evaluation.

g) **Coverage:** This wide-ranging program involves multiple activities with different sectors and organizations, including consortium members; population vulnerable to human rights violations in rural and suburban communities in 32 municipalities in 8 departments; social and community organizations; political parties; municipal governments; and a minimum of 6,000 beneficiaries of trainings. There are now approximately 300 trained volunteer community promoters because of the consortium’s work, who have participated in courses benefiting at least 15,000 people. Consortium activities are implemented by 32 qualified people from the four consortium member institutions, including social workers, legal workers, program officers and management personnel.

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>DONOR</th>
<th>AMOUNT (US$)</th>
<th>MAIN ACTIVITY</th>
<th>TARGET GROUPS</th>
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<tbody>
<tr>
<td>Human Rights: A Challenge for the 21st Century (1999-2003)</td>
<td>DCA, SIDA, ICCO, CIDA, FODEC</td>
<td>351,150.00 280,000.00 400,000.00 180,286.29</td>
<td>Help people without access to justice to demand their rights, get them enforced, and use institutions created to protect and defend rights.</td>
<td>General public, organized civil society and officials.</td>
</tr>
<tr>
<td>Institution Building in the Offices of the Attorney General and the Solicitor General (1 Nov. 2000 – 15 Dec. 2001)</td>
<td>PRODECA</td>
<td>100,000.00</td>
<td>Determine training needs and/or offer educational activities based on need. Promote the use of the institutions by persons and groups seeking just solutions to their problems.</td>
<td>Officials and staff of civil society agencies belonging to the system.</td>
</tr>
<tr>
<td>Social auditing of the delivery of relief aid received in response to the earthquakes of 13 Jan. and 13 Feb. 2001 (15 Feb. – 30 Nov. 2001)</td>
<td>PRODECA</td>
<td>139,391.44</td>
<td>Legal and psychosocial support to earthquake victims in five municipalities in the departments of La Libertad, Usulután, San Vicente, La Paz and Cuscatlán, to contribute to community-based social auditing.</td>
<td>Earthquake victims from 2001 in 18 municipalities in the 5 departments listed.</td>
</tr>
<tr>
<td>Strengthening the National Human Rights System in El Salvador (20 Dec. 2002 – Oct. 2004)</td>
<td>PRODECA</td>
<td>200,000.00</td>
<td>Determine strengths and weaknesses in the legal framework and management of institutions belonging to the National Human Rights System; prepare legal and/or policy proposals starting from the Academy.</td>
<td>Officials and staff of civil society agencies belonging to the system.</td>
</tr>
<tr>
<td>Human Rights of Migrants Project (May 2003 – April 2004)</td>
<td>TROCAIRE</td>
<td>30,000.00</td>
<td>Prepare a proposal for a procedural framework for cases of detention and deportation of foreigners in El Salvador.</td>
<td>Migration officials, undocumented foreigners in El Salvador who are detained and the Border Division of the PNC.</td>
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<th>Project Proposal (Amount)</th>
<th>Executive Summary</th>
<th>Date Submitted</th>
<th>Current Status</th>
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<td>Protection and Promotion of Human Rights in El Salvador. Amount: US$191,300.00 Period: 2 years starting May 2003 OHCHR/UNDP</td>
<td>The project will support capacity strengthening in the PDDH to foster full observance of human rights in El Salvador. The project also contains a component for integrating human rights as a crosscutting theme in the programs and activities that the United Nation System in El Salvador provides to the country.</td>
<td>June 2001</td>
<td>Approved in April 2002 and in execution, May 2003.</td>
</tr>
<tr>
<td>2</td>
<td>Computerized Complaint Management System (CCMS). Amount: Not set (Regional Agreement) FIO – University of Alcalá</td>
<td>The project will be implemented under a regional agreement and will provide the PDDH with software for setting up a complaint system, and will provide appropriate equipment (hardware) for installing the software and the technical support necessary for efficient system management.</td>
<td>Approved in Feb. 2003. Currently the University of Alcalá is designing the CCMS.</td>
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<td>4</td>
<td>Juvenile Units for Human Rights Information Dissemination. Amount: US$14,000.00 Period: July – Dec. 2002 Save The Children Sweden</td>
<td>The project’s objective is to strengthen the effective enjoyment of human rights nationwide, especially the rights of children and youth. The project’s main actions are: Installation of two Juvenile Units, one in Morazán and one in La Unión. Consolidation of five Juvenile Units in the departments of Usulután, San Miguel, Morazán, La Unión and Ahuachapán. The installed Juvenile Units will be able to train more youth from their communities on human rights issue by the project’s end.</td>
<td>March 2002</td>
<td>Executed through Dec. 2002.</td>
</tr>
<tr>
<td>No.</td>
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<tr>
<td>5</td>
<td>Juvenile Information Dissemination Units in the PDDH / 2003. Amount: US$35,000.00 Period: 12 months. Donor: Save the Children</td>
<td>The project seeks to disseminate information and promote human rights, especially children’s and youth rights, through the Juvenile Information Dissemination Units. Project strategies are: Broaden and strengthen the Juvenile Units. Monitor enforcement of human rights. Prepare an assessment of the status of children’s rights and use it as the basis for a special report on the Status of the Rights of the Child.</td>
<td>September 2003</td>
<td>Approved and currently being executed.</td>
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<tr>
<td>6</td>
<td>Strengthening the Juvenile Human Rights Information Dissemination Units Amount: US$24,000.00 Period: July – Dec. 2003 Ayuda en Acción</td>
<td>Objective: Disseminate information and promote human rights, specifically the rights of children and youth, through the Juvenile Information Dissemination Units. Main Results Expected: Nine Juvenile Units technically capable of carrying out activities to promote and disseminate information about the rights of children and youth. Nine Juvenile Units perform activities to monitor observance by the State of its obligations regarding the rights of children and youth. The results obtained from oversight and monitoring of the status of the rights of children and youth performed by the Juvenile Units and the Deputy Ombudsman’s Office for Children and Youth of the PDDH disseminated through special reports.</td>
<td>June 2003</td>
<td>Approved in June 2003 and being executed from July 2003 to present.</td>
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<tr>
<td>7</td>
<td>Strengthening the Human Rights Information Dissemination Policy Amount: US$49,000.00 Period: 4 months Donor: European Union</td>
<td>The primary objective is to strengthen the dissemination of information and advocacy actions of the PDDH. The primary components are: Editing and printing 1,000 copies of the first volume in the series “PDDH Resolutions,” a collection of the most important cases. Editing and printing 1,000 copies of the first issue of the magazine, “Justice and Human Rights.” Editing and printing 1,000 copies of an anthology of basic human rights documents. Broadcast audiovisual messages for the Salvadoran public, State institutions, and social organizations through the mass media. Purchase of 15 television sets and 15 VCRs for information dissemination activities of the 13 departmental branch offices and the head office.</td>
<td>September 2002</td>
<td>Approved and executed through July 2003.</td>
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<tr>
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<td>8</td>
<td>Expertise Building in Specific Human Rights Areas and Institutional Development. Amount: Not set (technical assistance) Amount: US$450,000.00 Period: 2 years Donor: SIDA</td>
<td>The project objective is “PDDH strengthened for fulfillment of its duties in accordance with its constitutional and legal mandate in the framework of building the rule of law and democracy in El Salvador.” The project seeks to produce highly trained professionals in the following areas: Expertise in specific human rights issues for the deputy ombudsman’s offices and the PDDH’s protection section. Expertise in social research techniques and methods. PDDH officials trained in public administration and management. Expertise in strategic planning and institutional development. Implementation of a strategy for systematic training of PDDH work teams through the Information Dissemination and Training Unit, relying on the knowledge acquired through the project.</td>
<td>January 2003</td>
<td>Approved, bidding in process for selection of consulting firms.</td>
</tr>
<tr>
<td>9</td>
<td>Strengthening the PDDH Departmental Branch Offices. Amount: US$170,000.00 Period: May 2003 – April 2004 Agency: USAID</td>
<td>Project objective: “Improve the quality and efficiency of the departmental offices for the processes of protecting human rights and for implementation of institutional strategies of a preventive nature related to promotion and information dissemination.” The project will enable procurement of computer and audiovisual equipment, educational materials and books; internal and external training; local forums; and implementation of an online network.</td>
<td>December 2001</td>
<td>Approved and in execution.</td>
</tr>
<tr>
<td>10</td>
<td>Human Rights Education for Peace and Development. Amount: US$379,065.51 Period: 18 months Embassy of the Netherlands</td>
<td>The project’s objective is “To promote knowledge and capacity in the population, and through their active, influential participation build ways to coexist based on respect and the exercise of human rights and democratic values.” Project implementation has four main components: Certificate programs in human rights. The Training Center. A nationwide campaign to promote and disseminate information about human rights through the media. Advocacy.</td>
<td>January 2003</td>
<td>Approved in August 2003 and in execution since Sept. 2003.</td>
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</table>
The following results are expected from the project:  
The PDDH will have a specialized Human Rights Research Center for El Salvador.  
The PDDH will have an indicator system for monitoring and assessing the national human rights situation.  
| 12  | Institution Building Consultancy Amount: US$68,000.00 Period: 6 months IADB/ ICT          | Funding will be used to retain two Salvadoran and two international consultants to identify areas for institution building that the IADB can fund. Along these lines, the agreement will be:  
Submit an assessment of the PDDH’s institution building needs.  
Review and identify the needs for new information systems and for integrating communications among all PDDH structures.  
Prepare a project proposal based on the assessment’s results, which shall be submitted to negotiations with IADB grant funds.                                                                 | August 2003    | Awaiting results of negotiations between the IADB and the Korean Assistance Fund. |
| 13  | Action Plan of the Office of the Human Rights Ombudsman, “Protection of Persons Living with HIV/AIDS (PLWHA).” Amount: US$8,000.00 UNFPA/ IIHR | The project has five main components:  
Assessment of the status of PLWHA from a human rights perspective.  
Report on the human rights status of PLWHA.  
Identify the most important, influential actors on the subject.  
Generate spaces for analysis and reflection around the observance of the human rights of PLWHA.  
Based on the participation of all the actors involved, build a proposal for institutional advocacy to defend the human rights of PLWHA.                                                         | August 2003    | Approved in August 2003 and in execution since Sept. 2003. |

(Aggregate Amount Approved: US$1,491,833.07)
• Project for Strengthening the PDDH’s Techniques for Observation, Monitoring, Assessment and Investigation (supported by Netherlands, Sweden and Norway);
• Project for Strengthening the Institution’s Image and Human Rights Promotion (supported by the European Union);
• Project for strengthening and developing the deputy ombudsman offices (supported by the European Union and UNICEF);
• Project for creating the Human Rights Educational Institute (ISDEH);
• Support for the Central American Council of Ombudsmen (joint project supported by Canada);
• Project for a Corrections System Law;
• Project for Organizational Restructuring of the Administrative and Financial Area;
• Project on the status of indigenous women;
• Project for a Detainees Register;
• Project for the defense of the human rights of Salvadoran immigrants;
• Project to support creation of the Institute for Human Rights Promotion and the Western Regional Office;
• Project on the freedom to vote for the 1994 elections.

Following are examples of project amounts: For the new institution’s first year of operations (1992), the government allocated US$822,000; in the second year (1993), US$1,210,000; and in the third year (1994), US$2,430,000. State funds during this phase were primarily used for salaries and leasing buildings. During this initial phase, international assistance agencies donated a greater amount than the State, and it was earmarked for the institution’s program work: the Development Corporation Ireland (APSO) donated US$2.32 million; the European Union gave US$275,000; Sweden, the Netherlands and Norway contributed US$573,000; France donated US$45,000; along with other donors.

During the institutional development phase, around five years after it was founded, large projects supported by international assistance were executed quite effectively. Following are some examples:

• Project: “Support for the Decentralization Strategy of the PDDH,” funded by the government of France. Formation of 20 integral municipal defense offices, with 500 beneficiaries;
• Project: “Human Rights Literacy,” funded by the government of Ireland. There were 1,168 beneficiaries in several rural towns around the country. Forty-seven literacy teachers were trained to replicate the work and 40 basic libraries were set up in the communities;
• Pilot Project: “Civil society participation in connection with crime and human rights,” funded by PRODECA and SIDA. The project received technical support from the IIHR for a situation assessment;
• Project: “PDDH Institution Building,” funded by the European Union. A nationwide project for strengthening the deputy ombudsman offices and departmental branch offices, strengthening staff capacity and availability of educational materials, especially in connection with economic and social rights. The Salvadoran Human Rights Institute of the PDDH was strengthened and working relationships were established with communities;
• Project: “Strengthening of the departmental branch offices and territorial decentralization of the PDDH,” funded by the government of Canada. The project covered the country’s 14
departments and helped human rights NGOs, 36 municipal defense offices and 700 beneficiaries. Executed in cooperation with the Consortium of Human Rights NGOs;

- Project: “Decentralization of the PDDH and strengthening of the departmental branch offices,” financed by the government of Great Britain;
- Project: “Installation and creation of seasonal and municipal defense offices in the repopulated northern, peri-central, and eastern regions,” funded by the UNHCR. The project fostered the creation of 14 integral seasonal defense offices, with the participation of all the deputy ombudsman’s offices; the installation of 13 municipal defense offices; and training of a large number of beneficiaries in the population;
- Project: “Strengthening the National Academy of Public Security and the PNC in connection with children’s rights,” funded by Radda Barnen of Sweden. The project was executed with the participation of the office of the Deputy Ombudsman for the Rights of the Child;
- Project: “PDDH Institution Building” (Phase IV), funded by the European Union. This project began in 1996. Strengthening the deputy ombudsman offices for children; women; the elderly; the environment; and economic, social and cultural rights;
- Project: “Strengthening departmental branch offices and territorial decentralization of the PDDH” (Phases I and II), sponsored by the government of Canada. Beneficiaries: personal from 13 PDDH branch offices, NGOs, 33 municipal human rights defense offices. Execution period: December 1996 to December 1998;
- Program: “Public Security and the Community,” funded by the governments of Great Britain and France and the UNHCR. The main objective was to build relationships of trust and cooperation between the municipal and local human rights defense offices and the PNC. The program was executed between February 1996 and February 1998;
- The Peruvian Defensoría del Pueblo and the Mexican Comisión Nacional de Derechos Humanos provided technical support and held a forum to share experiences with the PDDH;
- The PDDH also received human rights technical assistance from the IIHR, which holds the Technical Secretariat of the Federación Iberoamericana del Ombudsman (FIO), and from the Central American Council of Ombudsmen.

Some of the more noteworthy projects more recently executed are the “Assessment, monitoring, research, dissemination of information, and case resolution,” supported by Sweden through UNDP; a project funded by Sweden on “Public Security and Jails”; and a project funded by the Netherlands to support the office of the Deputy Ombudsman for Women.
Annex 9: International Assistance for Media NGOs

**PROBIDAD**

- The Center for International Private Enterprise (United States) from August 2000 to March 2002; the Norwegian Human Rights Fund (NHRF) from March to July 2003: The funds allocated to El Salvador by these agencies have enabled financing two individuals working in PROBIDAD on press freedom;
- DANIDA, through PRODECA, from August 2003 to October 2004: Financial assistance from DANIDA for the PROBIDAD regional program, “Periodistas Frente a la Corrupción” (PFC - Journalists against Corruption). This initiative’s main objectives are to be a media watchdog; to provide resources, research assistance and other services to journalists reporting on corruption; and to offer support when these journalists suffer reprisals or court decisions that undermine their work. Another important activity has been creating and maintaining a website that functions as a “resource center on Salvadoran corruption and initiatives to halt it” and as a “space that Salvadorans can use to disseminate their anti-corruption investigations, analyses and activities;”
- PROBIDAD has also received a grant (around US$5,000) from the International Freedom of Expression Exchange (IFEX) to support monitoring freedom of expression. Efforts include creating and keeping current an internet portal that contains reports, documents, alerts and other reference materials on the status of the freedom of expression in El Salvador. Every month, incidents seen as threats to the freedom of expression, along with the actions taken in response, are posted on the site.

**ARPAS**

- Diakonia contributed US$117,000 to a project for education, legalization, and democracy in community radio stations. Diakonia’s objective was to disseminate information about and promote human rights, in particular, civil society’s right to information from a local perspective, through the ARPAS member radio stations;
- Canadian funds (US$267,149) enabled ARPAS to purchase the 92.1 FM radio frequency;
- In 2001, a contribution from CAF/SCO funded an emergency radio network, repairs and equipment replacement following the earthquakes in January and February, as well as a...
consultancy for the process of redefining the ARPAS mission. In 2002, CAF/SCO supported strengthening the network and management of member radio stations. The primary objectives of CAF/SCO are to contribute to the democratization process, to the diversity of news services and to developing a milieu that enables citizens to form their own opinions;

- HIVOS provided a US$7,000 matching grant to complement a fund ARPAS had set up for training workshops for member community-radio stations on management and programming. HIVOS supported this project as a contribution to strengthening community radio station management.

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205 <www.villa.intermax.nl/cafSCO/us/projects/proelsalvador.htm>
206 <www.villa.intermax.nl/cafSCO/es/aboutus/index.htm>
207 Interview with Beatriz Barraza.
# Annex 10: Laws Governing Freedom of Expression in El Salvador

<table>
<thead>
<tr>
<th>Legal Instrument</th>
<th>Date of Signing or Ratification by El Salvador</th>
<th>Text of Article</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. International and Regional Conventions and Declarations</strong></td>
<td></td>
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<tr>
<td>Universal Declaration of Human Rights, Art. 19</td>
<td>1948</td>
<td>Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.</td>
</tr>
<tr>
<td>International Covenant on Civil and Political Rights, Art. 19 (1966) and Protocol</td>
<td>1979; 1995</td>
<td>Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</td>
</tr>
<tr>
<td>American Convention on Human Rights, Art. 13 (1969)</td>
<td>1978</td>
<td>Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice.</td>
</tr>
<tr>
<td>The San José Human Rights Accord, Art. 5</td>
<td>1990</td>
<td>Everyone shall have the full right to associate freely for ideological, religious, political, economic, labor, social, cultural, or any other purpose.</td>
</tr>
<tr>
<td>Chapultepec Declaration, Inter American Press Association (IAPA)</td>
<td>1994</td>
<td>No journalist may be forced to reveal his or her sources of information.</td>
</tr>
<tr>
<td>Declaration of Principles on Freedom of Expression, Inter American Commission on Human Rights (2000), principles 4 and 8</td>
<td>2000</td>
<td>4. Access to information held by the State is a fundamental right of every individual. States have the obligation to guarantee the full exercise of this right. This principle allows only exceptional limitations that must be previously established by law in case of a real and imminent danger that threatens national security in democratic societies. 8. Every social communicator has the right to keep his/her source of information, notes, personal and professional archives confidential.</td>
</tr>
</tbody>
</table>
## 2. National Laws and Regulations

| Constitution of El Salvador, Art. 6 | 1983, revised in 1992 and amended in 2000 | Protects the right freedom of expression: All persons may freely express and impart their thoughts, provided that they do not disturb public order or damage the morals, honor, or privacy of others. Exercise of this right shall not be subject to prior examination, censorship or security, but any person who in exercising it breaks the law shall be held liable for the offence committed. (...)
| **Art. 29** |  | The enjoyment of the right to freedom of expression may be suspended in the event of war, invasion of the national territory, rebellion, sedition, a disaster, epidemic, or other general calamity.
| Judgment of the Salvadoran Supreme Court | 1997 | The Supreme Court has stressed that the constitutional right to freedom of expression extends beyond the right of individuals to express their thoughts to include what may be liberally phrased as “press freedom” and the “freedom to inform.”

Annex 11: Mini Case Studies on Media Organizations

Case Study: The Weekly Primera Plana: An Attempt at Investigative, Critical and Independent Journalism

The weekly *Primera Plana* had an average of 32 pages. Although projected weekly circulation was 30,000 copies, initially the press run was 8,000 a week; later this went down to 6,000 copies because of administrative and financial problems.

Regarding coverage, although the newspaper itself stated that it could be gotten in some 500 places around the country, in reality there were only around 75 distribution points. Distribution of the weekly outside the San Salvador metropolitan area was limited to only 7.5% of the places identified, which reflects the difficulties in taking the paper beyond the capital.

*Primera Plana* was owned by a corporation, Casa Editorial, S.A. de C.V. At one point, it turned to selling shares as a means for survival during the paper’s economic crisis. However, this scheme did not work. The economic problems also led the weekly to modify and simplify its organizational structure.

Regarding financial resources, the team that founded the paper always relied on outside aid. Even though aid from international agencies was substantial during the start-up phase, capital was scarce from the beginning due primarily to the fact that the advertising department did not institute an effective strategy for attracting advertisers (only 40% of the goal for advertising revenue was reached). In addition, management and the sales and circulation departments did not successfully administer the little amount of capital available, nor did they obtain sufficient income to cover the weekly’s operating expenses and overhead. They did not know their readership, which is related to a poor design of the circulation department and marketing strategies. These internal weaknesses impeded the newspaper’s consolidation and led to it shutting down after ten months on the newsstands. The internal difficulties ended up affecting the quality of the paper’s reporting, demonstrated when the reduction in the number of pages affected the quality of information, the use of sources and the treatment of photography. Regarding human resources, even though the editing and production areas had adequate staffing and resources, this was not so in marketing and circulation.

*Primera Plana* met its initial objective of putting issues on its agenda that were distinct from the daily newspapers, since the bulk of the information in the weekly were issue they had chosen. The most important issues were those related to the political and economic sphere. They also managed to cover issues that arose from their philosophy of fostering democratization. Furthermore, Primera Plana was characterized by its professional journalistic treatment of information, with 85% of the articles written being based on information provided by two or more types of sources. It progressed toward investigative reporting, with documentary data appearing in two out of three articles. Every different genre available to the press for conveying information appeared in its pages (editorials, news articles, features, interviews, sketches, etc.).

Case Study: Radio La Klave (formerly Radio Cabal)

Since its creation in 1992 or 1993, the community radio station Radio Cabal has been broadcasting debate, news, and radio dramas with social content, mainly targeted at the poor urban segment of the metropolitan population. An audience survey conducted in 1998 revealed that between 8,000 and 10,000 people listen to Radio Cabal three to four times a week. This is low considering that the poor population of the San Salvador Metropolitan Area is around 800,000. However, when the station changed bands from AM to FM, sound quality improved and the audience grew (85% of the capital-area radio audience listens to FM stations).

Starting in 1998, the station faced the need to become economically self-sustaining.

MS and the station’s managers came to an agreement whereby MS would continue supporting the station for a time, with the aid going to marketing and sales of the station’s products. For HIVOS, the main problem was that the station was subsidized, since most of the aid was used to cover administrative expenses, particularly staff salaries (and not capital expenditures). The station did not achieve the level of financial self-sustainability needed in the timeframe set by the donor, demonstrating the poor judgment or managerial capacity of the founders. Moreover, conflicts or contradictions within the team (e.g. differences of opinion over the concept of alternative education) were another problem. It was very hard for those running the station to find a balance between the need to pay their own way and the alternative communications project (to what point do you make concessions to be profitable?).

Therefore, faced with a substantial reduction or suspension of international aid, Radio Cabal had to:

1. Change its image to attract more advertisers and earn more from advertising. This was not easy. Even though Radio Cabal had no political party ties, potential advertisers were reluctant to sign advertising contracts with the station; it was seen as being leftist and linked to the main opposition party (FMLN), because its programs were different from those broadcast by traditional stations and were aimed at the poor segment of the metropolitan population;
2. Enter a market of fierce competition between more than 70 radio stations for advertising time, without giving up its principles of public participation, education and community service;
3. Make several changes in the way it worked, starting with cuts in the station’s permanent staff (downsizing from 28 to 18).

According to information from the executive director of ARPAS, Radio Cabal managed to make progress, overcoming the stage of dependence on international aid and joining the market to achieve self-sustainability, without giving up its community radio profile. At present, the station receives most of its income from advertising. Even though programming is not targeted so much to the poor in the capital city anymore, it has managed to keep its spaces for opinion and debate.


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208 Ibid.
Case Study: PROBIDAD

PROBIDAD is a civic, non-profit organization, whose mission lies in defending and strengthening freedom of expression, as well as monitoring and raising awareness about corruption. The efforts to undermine corruption and to defend freedom of expression are an inseparable whole.

PROBIDAD is a small organization that began working with a minimal, two-person staff. Currently six or seven people work there, and their job stability depends on the availability of resources from international assistance agencies. When aid is scarce, they turn to volunteers. Their own funds are few and primarily come from private donations.

Resources from international assistance agencies are used for implementing projects and activities, and therefore have not had an impact on the institution’s development. The main activities carried out by PROBIDAD with international aid include systematizing and disseminating information about the corruption problem; promoting practices and procedures that facilitate access to information, accountability and respect for the law; anti-corruption assistance; and defending freedom of expression. They also maintain a website that has reports, documents, alerts and other reference materials on the status of freedom of expression in El Salvador.

PROBIDAD’s main weakness lies in its dependence on international aid to implement and monitor its projects. Its capacity to support itself economically is still quite limited.

Source: Interview with J. López, Chairman of the Board of Directors of PROBIDAD, 4 September 2003; <www.probidad.org>.

Case Study: Association of Participatory Radio Stations and Programs of El Salvador (ARPAS)

The mission of ARPAS is to coordinate and promote community radio stations with the goal of strengthening expression and dissemination of civil society thought, contributing in this way to the democratization of Salvadoran society. ARPAS attempts to fulfill this mission by supporting the integral development of its members.

ARPAS currently includes 22 community radio stations. With the purpose of strengthening their development, ARPAS has been involved in a group of activities: technology transfer to members; coordination and legalization of member stations; training and technical advice; creation of six production centers; and producing programs that encourage citizen participation in local development (democratization of speech). It has also developed its own daily one-hour news program, “Voces en contacto,” and an interview show, “Contacto 2000,” which address issues of concern to Salvadoran society and the communities in particular.

ARPAS still relies on international aid for carrying out most of its activities, in fact it considers fundraising from foreign agencies to be one of the organization’s important activities. Regarding management, ARPAS enjoys a great deal of autonomy in project execution. Even though it consults regularly with donor agencies, they tend not to interfere in decisions related to project execution. The use of Canadian funds has been supervised and monitored by the Canada Fund for Local Initiatives (CFLI).209

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209 Interview with Héctor Vides.
About the Authors

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Roberto Rubio-Fabián is the Executive Director of the National Foundation for Development (Fundación Nacional para el Desarrollo, FUNDE). Furthermore, he is a member of the National Commission for Development, a presidential commission to work on the thematic and methodological foundations to write the first Plan for the Nation in El Salvador; a Guest Professor at the Catholic University of Louvain; and a columnist at the newspaper ‘La Prensa Gráfica’ in El Salvador. He has been a consultant for national and international organizations such as Green Project/USAID, Organization of American States (OAS), the United Nations Development Program (UNDP), World Resource Institute (WRI, Washington), the Salvadoran Ecological Foundation, University of Amsterdam, and the High Council of Scientific Research in Spain. Roberto Rubio-Fabián has been the team leader for this study.

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Apart from being a lawyer, Mr. Meléndez is a consultant on human rights, humanitarian law, and constitutional and legal matters for the Inter American Institute of Human Rights (IIDH). Recently he has been appointed as a member of the Inter American Commission on Human Rights (CIDH) of the Organization of American States (OAS). His previous positions include former Director of the Office of the United Nations High Commissioner of Human Rights in El Salvador (UNHCHR); Legal Officer of the Human Rights Division of the United Nations Mission for El Salvador (ONUSAL); consultant for UNHCR, UNDP, IPEC-ILO, and UNICEF; former Director of the Department of Promotion and Education on Human Rights at the Supreme Court of El Salvador; and advisor and trainer on human rights for various non-governmental organizations in El Salvador and Latin America. Florentín Meléndez was responsible for the human rights chapter.

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