

El Salvador has completed the first of two historic elections scheduled this year: January 18 legislative and municipal elections and upcoming March 15 presidential elections. The governing Nationalist Republican Alliance party (*Alianza Republicana Nacionalista*, ARENA) and the opposition Farabundo Martí National Liberation Front (*Frente Farabundo Martí para la Liberación Nacional*, FMLN) have dominated every election since the 1992 Peace Accord, and ARENA has always won the presidency and the majority of municipalities. It has been 15 years since these two elections have taken place in the same year. This highly competitive electoral process has already altered the balance of political power and will be an important indicator for the consolidation of El Salvador's democracy.

NDI is supporting the transparency of the elections by helping impartial Salvadoran election observer groups to implement systematic and coordinated initiatives to monitor the pre-election and election-day processes. This bulletin provides an overview of the January 18 elections and a summary of findings of NDI's Salvadoran partners.

### ***January 2009 Legislative and Municipal Elections***

The January 2009 election results confirmed the continued dominance of the two major parties. FMLN gained ground to win a plurality in the National Assembly with a total of 35 out of 84 seats, earning nearly 90,000 votes more than the ARENA party, which lost two seats.<sup>1</sup> To form the 43 vote majority needed to pass legislation, either party will need support from the conservative National Conciliation Party (*Partido de Conciliación Nacional*, PCN) with 11 seats or the Christian Democrat Party (*Partido Demócrata Cristiano*, PDC) with five seats. Contrary to poll predictions, ARENA's candidate defeated the incumbent mayor of San Salvador, ending 12 years of FMLN administration of the capital city. ARENA again won more municipalities than any other party (122 out of 262); however, the FMLN was the only party to increase its number of municipalities (from 60 to 96) compared to the 2006 elections.

### ***International and National Election Observers***

International and national observers found the elections to be fair, but noted a variety of short- and long-term problems to be addressed. Through its network of 2,000 Salvadoran observers, the University Institute of Public Opinion (IUDOP) noted that the positioning of voting booths (JRVs) did not guarantee the secrecy of the vote, some local election officials were unfamiliar with election-day administrative procedures, and citizens at various JRVs faced challenges in voting with their citizen ID document (*documento único de identidad*, DUI). The 42-member European Union (EU) observer mission called for electoral reform to regulate campaign finance

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<sup>1</sup> The total votes by party for the 2009 legislative elections were: ARENA 854,166; CD 46,971; FMLN 943,936; PCN 194,751; and PDC 154,020. <http://elecciones2009.tse.gob.sv/page.php?51>

and parties' access to the media, a non-partisan Supreme Electoral Tribunal (TSE) and stricter requirements for proof of address when requesting a DUI. The Organization of American States (OAS) fielded 82 observers and its initial statement noted the delay in opening some voting centers, isolated partisan confrontations during the day and reports of foreign nationals trying to vote.

### ***Outlook for March 15 Presidential Election***

The January election results would indicate a highly competitive presidential election. Shortly after the January elections, the PDC and PCN candidates dropped out of the race, underscoring the polarized campaign between the FMLN and ARENA candidates. Polls released at the end of January by Consulta Mitofsky, LPG Datos and Rivera Research show FMLN candidate Mauricio Funes with a 2.6 to 6 point continued advantage over Rodrigo Avila (ARENA). The National Assembly passed legislation to allow Salvadorans who have a DUI that was issued overseas to vote in San Salvador (approximately 40,000 people). The FMLN deputies abstained from voting, citing the measure as discriminatory against voters who cannot afford to return for the election.

### ***National Democratic Institute-El Salvador***

NDI's El Salvador program is supported by funding from USAID and Denmark. With support from USAID, NDI has provided technical and other assistance for impartial Salvadoran civil society organizations to monitor the pre-election and election-day processes.

#### **A. Media Monitoring – Salvadoran partner: Social Initiative for Democracy (ISD)**

ISD is monitoring media coverage during the presidential campaign. Initial findings include:

- The two issues that lead the list of voters' concerns receive only limited media coverage: the economy (20%) and security (4.5%).
- Most negative media treatment is directed against the FMLN (54.7% of articles and 71% of television pieces of negative tone).
- Despite representing more than 60% of the voting population, women were cited as sources in 15.8% of articles and youth in only 2.1%.

#### **B. Campaign Publicity Spending – Salvadoran partner: National Foundation of Development (FUNDE)**

Salvadoran electoral law does not regulate campaign expenditures or require reporting or other disclosure of non-public campaign financing. FUNDE is monitoring parties' campaign advertising expenses and conducting a comparative study of campaign finance regulations to propose reforms to encourage greater campaign transparency. Initial findings include:

- Through January 18, 2009, parties had spent US\$14.6 million on campaign publicity (65% attributed to ARENA, 19% to the FMLN).
- Through January 2009, two private groups – the pro-ARENA Solidarity Force and the Friends of Mauricio Funes Movement – had spent nearly US\$1.2 million (7%) and US\$70,000 (0.4%), respectively, of the total party campaign publicity spending.

#### **C. Systematic Election Observation – Salvadoran partner: Central American University Institute of Public Opinion (IUDOP)**

During the January 18 election, IUDOP conducted a parallel vote tabulation (PVT or “quick count”) of the San Salvador mayoral race, which coincided with the official results and will conduct a national quick count in March. The PVT – a proven methodology using a statistically random sample of actual polling station results – and the qualitative data collected can help to generate citizen confidence in the electoral process by an independent check on the quality of the process and on election results. IUDOP January observation findings include:

- Voters could not find their names on the voter registry at 21.9% of the JRVs observed.
- Voters had difficulties with their DUI (such as inconsistencies with the voter registry data or physically deteriorated DUI cards) at 17.3% of the JRVs observed nationwide.
- One in 10 accredited IUDOP national observers were removed from their assigned JRV by local election officials or party members at the voting centers.