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National Lawyers Guild Observers Find Salvadoran Elections to be Free and Fair

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A delegation from the National Lawyers Guild (NLG) sent to El Salvador to observe the 2015 national congressional and municipal elections, has concluded that, so far, the process has remained fair and open, and that all parties appear to be following the new election laws, despite efforts by the country's Supreme Judicial Court to change the rules for tallying ballots at the eleventh hour.

The seven-member NLG delegation, consisting of lawyers and law students from around the U.S., received extensive training in San Salvador, not only of the history of elections in that country, but in the intricacies of the election code and regulations. The Salvadoran Supreme Electoral Tribunal credentialed the group providing access to the entire process and all parts of polling stations, from the arrival of poll workers at 5 a.m. Sunday through the hand-counting and tallying of individual ballots that continued into early Monday morning. The NLG delegation concludes that the process appeared open and fair, demonstrated the dedication of the Salvadoran election officials and volunteers, and manifested a tremendous amount of cooperation and tireless motivation to respect voters' intent. This dedication applied also to law enforcement and Attorney General representatives who were assigned to the polling stations to ensure security and to facilitate the electoral process.

The poll workers operated under new and extremely complex rules, some of which were only announced in the last few weeks. These new decrees extended the process into the early morning hours as the electoral poll workers endeavored to comply with the law. For the first time in Salvadoran history, voters were permitted to choose individual candidates in addition to or instead of political parties. Hundreds of candidates' faces appeared on paper ballots up to two feet long. The dedication of the poll workers was evident by the fact that, in the absence of computers, every ballot was counted by hand. Moreover, each ballot was scrutinized by credentialed poll workers from each political party, called "vigilantes", who were present to provide a check and balance on the election workers at each table. The NLG delegation concluded that the election workers resolved their disputes mostly through consensus despite party rivalries. Particularly noteworthy was the diversity of the polling participants, including substantial numbers of youth and women. Additionally, the noted outreach to enfranchise persons with disabilities was evident through residential polling places, Braille ballots, and designated poll workers.

Despite the conclusion about the fairness and openness of the election in total, the delegation does note the inherent unfairness of disenfranchising thousands of assigned civil police who worked very long hours to facilitate the right of others to vote.

The delegation's trip was conducted in coordination with other groups working in El Salvador, including CISPES, FUNDASPAD, and FESPAD.

The National Lawyers Guild, whose membership includes lawyers, legal workers, jailhouse lawyers, and law students, was formed in 1937 as the United States' first racially- and gender-integrated bar association to advocate for the protection of constitutional, human and civil rights,