

February 29, 2024

Secretary Antony Blinken
U.S. Department of State
Washington, DC

Dear Secretary Blinken,

We write today to express our concerns about the state of democracy in El Salvador and, specifically, reports of systematic irregularities in the February 4 presidential and legislative elections. We urge you to call on Salvadoran authorities to give a clear accounting in response to these concerns and to make clear to the Salvadoran people prior to the March 3 elections that the United States' commitment to electoral integrity requires both transparency and accountability.

Leading up to the first elections, Biden administration officials, including in the State Department, made repeated calls for free and fair elections. However, since the elections, the Biden administration has made no comments in response to the convincing reports by international observer missions, opposition parties, and civil society organizations in El Salvador regarding evidence of vote tampering on behalf of the the governing party, as well as aggression and intimidation by members of the Bukele administration, the Attorney General's Office, and New Ideas party members throughout the vote count process.

Besides Bukele's candidacy being unconstitutional, affirmed as early as September 2021 by the U.S. Embassy, the February elections evidenced systematic violations of El Salvador's own laws, electoral code and established democratic procedures, and of international democratic norms and standards. Of particular concern are indications throughout the electoral process that the governing Nuevas Ideas party had usurped the role of the Supreme Electoral Tribunal (TSE) as the institutional arbiter of the electoral process.

International observer missions documented widespread irregularities on election day, both in El Salvador and other countries around the world where Salvadoran citizens were excited to exercise their right to vote in both presidential and legislative elections, as well as throughout the extended final scrutiny processes that followed the elections. [View a detailed account of the documented irregularities](#) (Annex A), that includes irregularities observed in these three instances: 1) Election Day in El Salvador, 2) Election Day in countries around the world, and 3) the extended final scrutiny.

Together with the last-minute reforms approved by Bukele's party in the months leading up to the election to radically redraw the electoral map, and undermine local representation and the participation of smaller political parties, the result is a disproportionately high concentration of power by Bukele's party in the legislative branch (68% of legislative votes resulting in 90% of legislative seats).

On February 11, four of five alternate TSE magistrates sent a letter distancing themselves from the official decisions being made, which they described as not having been made "legally" or "correctly." Magistrate Julio Olivo publicly shared several letters he wrote to his colleagues, one of which warned of "the presence of people outside the process who have been interfering with

the count.” He implored his fellow magistrates to attend to “reports of data manipulation, alterations or interventions by staff in charge of recording data, political party monitors or others,” and, separately, to instruct TSE staff to follow established procedure during the final vote count. The TSE’s November 2023 decision to permit Bukele to run for a consecutive term despite clear constitutional prohibitions indicated that the Tribunal had abdicated its role as the highest and independent authority of the electoral process, raising serious questions as to whether the TSE - or the results they delivered following the elections - are reliable.

In light of these systematic violations to democratic values and irregularities, following the TSE’s announcement of the final legislative results, opposition parties ARENA, Vamos, and Nuestro Tiempo petitioned the TSE to annul the elections, and the FMLN presented its own petition to annul the final vote count. The TSE denied these petitions. Subsequently, Salvadoran civil society and human rights organizations [called](#) on the “relevant Salvadoran authorities to provide a thorough explanation of all the irregularities that have been documented,” which, together with the “absence of electoral integrity” and an “opaque” vote count, “cast reasonable doubt on the process and on the assignment of legislative seats in accordance to popular will expressed at the polls,” and “on the international community to meticulously watch the response of the State to these and other demands that have been made.”

These significant concerns jeopardize the public’s trust in the fairness of future elections in El Salvador and the veracity of their results. It is essential that the international diplomatic corps, including the United States as one of El Salvador’s most prominent partners, privately and publicly echo the concerns that opposition political parties, civil society organizations, and international observer missions have raised about the 2024 elections, and, more broadly, over Bukele’s party’s attacks on El Salvador’s democratic norms and institutions. We also urge you to support the efforts and the electoral mission of the Organization of American States, especially efforts to conduct an audit of the February 4 elections and to support an international investigation into allegations of interference regarding the materials, including electronic systems, distributed on Election Day and the resulting collapse of the transmission of results. Silence in the face of these serious concerns regarding electoral integrity only further facilitates the demise of the democracy that generations of Salvadorans dedicated and, in many cases, sacrificed their lives to build.

Signed:

Washington Office on Latin America (WOLA)

U.S.-El Salvador Sister Cities

SHARE Foundation

Maryknoll Office for Global Concerns

Latin America Working Group (LAWG)

InterReligious Task Force on Central America (IRTF)

Hope Border Institute

Due Process of Law Foundation (DPLF)

Committee in Solidarity with the People of El Salvador (CISPES)

Annex A - Irregularities in El Salvador's February 4, 2024 Election

On Election Day, international observer missions in El Salvador [documented](#) the following irregularities:

- Removal of trained and credentialed poll workers supplied by opposition parties and their substitution, in many cases, by uncredentialed poll workers supplied by Bukele's party. Frequently, this decision was approved by representatives of the Attorney General's Office;
- Many voting centers were not provided with the necessary materials to record the preliminary vote count, resulting in tallies being recorded by hand on notebook paper, as well as delaying the transmission of preliminary results; and
- Major technological failures on election night, including duplication and, in some cases, triplication of votes in favor of Bukele's party when entered into the electronic system, coupled with widespread system failure prevented approximately 30% of presidential votes and 95% of legislative results from being electronically recorded and transmitted. This opened the door for potential manipulation of data during the final vote count, as not all parties and relevant authorities were provided with signed copies of the official vote tally sheets.
- Failure of the TSE to guarantee the chain of custody for ballot boxes, leading to concerns over the integrity of the ballots, including broken seals on packages containing votes.

In the United States and other countries around the world where Salvadoran citizens were excited to exercise their right to vote in both presidential and legislative elections, international observer missions witnessed the following irregularities:

- Contracted Indra personnel, not credentialed members of the Juntas Receptoras de Voto en el Exterior (JRVEX), reviewing voters' identification documents;
- Routine and widespread violations of the secrecy of the vote, as Indra IT consultants, party monitors, consular staff, and even other voters were routinely called upon to help people vote, not infrequently inputting votes for them. This was exacerbated by the lack of adequate process, technology or secure location for voters who presented U.S. address on their identification to vote online via the TSE portal;
- The dominance of New Ideas party representatives and electoral propaganda at most voting centers generated an intimidating atmosphere disrespectful of a serious democratic process,
- Many people who arrived with a passport as their form of identification were unable to vote;
- No means were provided for political parties to review or audit the voter registry to ensure, for example, that people could not vote more than once (e.g. on their phone using a current ID card and in person using an expired passport or in a different locale); and
- As the Organization of American States mission has stated, there is no plan to audit the electronic vote, nor any mechanism to confirm that the electronically-generated results correspond to votes cast per candidate or party.

During the extended final scrutiny processes that followed the elections, international observer missions documented the following irregularities:

- During the final count of presidential ballots, reliance on data from copies of vote tally sheets provided by Nuevas Ideas and/or the Attorney General's office, rather than a manual count;
- During the final count of legislative ballots, apparently new, un-creased ballots being counted (to fit into the ballot box, the ballots need to be folded at least twice);
- Failure of TSE staff to abide by the instructions for the final vote count, including verifying that the total number of ballots cast matched the number of voters who had signed in at any given voting table, leading to discrepancies; and
- Intimidating and threatening actions on behalf of representatives of the Attorney General's Office toward representatives of opposition parties, the press, and international observers, and the presence of riot police in the vote count center.
- An aggressive and disproportionately large presence of Nuevas Ideas party members throughout the process, witnessed, at times, dictating instructions to TSE workers. Media reports also confirm a number of TSE workers who were registered members of Nuevas Ideas, a violation of Salvadoran electoral law.