

Country/entity	El Salvador
Region	Americas
Agreement name	New York Agreement
Date	25 Sep 1991
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

El Salvador Civil War (1979 - 1992)

The civil war in El Salvador lasted from 1979 to 1992 between an authoritarian government and non-state opponents. Following a failed coup d'état, five leftist guerrilla movements merged to form the umbrella organisation Farabundo Marti National Liberation Front (FMLN). U.S. support for the central Salvatorean government after 1979 lasted until its collapsed in late 1980s, after which the right-wing Republican National Alliance (Arena) filled the power vacuum. In March 1990, the rebels announced a suspension of attacks on non-military entered into talks backed by the UN and Catholic Church with the government. Despite the talks violence peaked over the next two years until the Chapultepec Peace Accords were signed in Mexico City in February 1992. Another ceasefire was signed a month later, which lasted nine months and was never broken during that time. Arena won the 1994 presidential elections and maintained a significant portion of the legislature until 2009, when the FMLN attained the presidency.

Close
El Salvador Civil War (1979 - 1992)

Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	El Salvador peace process
Parties	Representing the Government of El Salvador: Dr. Oscar Santamaria; Col. Mauricio Ernesto Vargas Dr. David Escobar Galindo; Representing the Frente Farabundo Marti Para la Liberacion Nacional: Cmdr. Schafik Handal Cmdr. Francisco Jovel; Cmdr. Salvador Sanchez Cerein; Cmdr. Eduardo Sancho; Cmdr. Joaquin Villalobos;
Third parties	Alvaro de Soto, Representative of the Secretary-General of the United Nations (signatory, capacity unclear)
Description	Establishes National Commission for the Consolidation of Peace

Agreement document[SV_910925_NewYorkAgreement.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups**Children/youth** No specific mention.**Disabled persons** No specific mention.**Elderly/age** No specific mention.**Migrant workers** No specific mention.**Racial/ethnic/
national group** No specific mention.**Religious groups** No specific mention.**Indigenous people** No specific mention.**Other groups** No specific mention.**Refugees/displaced persons** Groups→Refugees/displaced persons→Substantive Article VII (Economic Questions) provides that land of a certain size shall be 'used to meet the needs of peasants and small farmers who are without land. Current land-holding in conflict zones is to remain until a 'satisfactory land-holding situation is arrived at.'**Social class** No specific mention.

Gender**Women, girls and gender** No specific mention.**Men and boys** No specific mention.**LGBTI** No specific mention.**Family** No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→Temporary new institutions

Page 2, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

2. Composition

- a. COPAZ shall be composed of two representatives of the Government, including a member of the armed forces, two representatives of FMLN and one representative of each of the parties or coalitions represented in the Legislative Assembly.
- b. The Archbishop of San Salvador and a delegate of ONUSAL shall have access to the work and deliberations of COPAZ, as observers.

Page 2, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

3. Decisions

COPAZ shall adopt its decisions by majority vote.

Page 2-3, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

4. Powers

- a. COPAZ shall not have executive powers since it is for the Parties, through their internal machinery, to carry out the peace agreements.
- b. The Parties shall be obliged to consult COPAZ before adopting decisions or measures relating to relevant aspects of the peace agreements. Similarly, COPAZ may consult the Parties, at the highest level, whenever it deems it appropriate to do so. In the event of a difference of opinion as to whether a matter should be submitted to COPAZ, the question shall be decided by COPAZ.
- c. At the request of three or more of its members, COPAZ shall be convened immediately and its opinion heard.
- d. COPAZ shall have direct access to the President of the Republic and shall meet with him whenever COPAZ itself or the President deems it appropriate.
- e. COPAZ shall have access to and may inspect any activity or site connected with the implementation of the peace agreements.
- f. COPAZ shall have the power to issue conclusions and recommendations of any kind relating to the implementation of the peace agreements and to make them public. The Parties undertake to comply with those conclusions and recommendations.
- g. COPAZ shall have the power to prepare the preliminary legislative drafts necessary for the development of the agreements which have been reached, both on the subject of the armed forces and on the other items on the agenda.
- h. COPAZ shall have the power to oversee the implementation of the agreements reached by the Parties, both on the subject of the armed forces and on the other items on the agenda.
- i. COPAZ shall be responsible for the preparation of the preliminary legislative drafts necessary to ensure that all those wounded in the war and, where appropriate, the families of combatants who have died, on both sides, are incorporated into the social security system of the State or receive adequate economic compensation, as provided for by law.
- j. In the performance of its functions, COPAZ shall be authorized to address the relevant organs of the United Nations, through the Secretary-General.
- k. COPAZ shall have full powers to organize its work in the manner which it deems most appropriate and to appoint any groups or subcommissions which it may deem useful in the discharge of its mission. For that purpose, it shall have its own budget.

Page 4, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

6. Duration

- a. Between the data of this agreement and the cessation of the armed conflict, two representatives of the Government, including one member of the armed forces, two representatives of FMLN and one representative of each of the parties or coalitions represented in the Legislative Assembly shall work under a special operational regime of a transitional nature which they themselves shall define. This work shall include the

Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	<p>Page 6-7, VII. ECONOMIC AND SOCIAL QUESTIONS</p> <p>4. The Parties refer to the compressed negotiations, as part of the economic and social subject area, consideration of the following topics:</p> <p>c. Establishment of a Forum for economic and social accommodation, with participation by the governmental, labour and business sectors, for the purpose of continuing to resolve economic and social problems. The Forum may be open to participation by other social and political sectors as observers, under terms to be determined by it.</p>
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	<p>Governance→Constitution→Constitutional reform/making</p> <p>Page 5, IV. DOCTRINE OF THE ARMED FORCES</p> <p>Agreement shall be reached on the redefinition of the doctrine of the armed forces based on the ideas that emerge from the agreements on this subject and from the constitutional reform. It is understood that the function of the armed forces is to defend the sovereignty of the State and the integrity of its territory, and that this doctrine should be based on the principle that the activities and regime of the armed forces shall be consistent with the principles deriving from the concept of the legally-constituted State governed by the rule of law, the primacy of the dignity of the human person and respect for human rights; defence of and respect for the sovereignty of the Salvadorian people; the concept of the armed forces as an institution in the service of the nation, free from all considerations of politics, ideology or social standing, and from all other forms of discrimination; and the subordination of the armed services to the constitutional authorities.</p>

Power sharing

Political power sharing

Power sharing→Political power sharing→General State level

Summary: State level power sharing on a body to design a transitional regime is provided for, see below.

Power sharing→Political power sharing→Other State level

6.(a) "Between the date of this agreement and the cessation of the armed conflict, two representatives of the Government, including one member of the armed forces, two representatives of FMLN and one representative of each of the parties or coalitions represented in the Legislative Assembly shall work under a special operational régime of a transitional nature which they themselves shall define. This work shall include the preparation of the preliminary draft legislation to formalize the establishment of COPAZ."

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general

Page 5, IV. DOCTRINE OF THE ARMED FORCES

Agreement shall be reached on the redefinition of the doctrine of the armed forces based on the ideas that emerge from the agreements on this subject and from the constitutional reform. It is understood that the function of the armed forces is to defend the sovereignty of the State and the integrity of its territory, and that this doctrine should be based on the principle that the activities and regime of the armed forces shall be consistent with the principles deriving from the concept of the legally-constituted State governed by the rule of law, the primacy of the dignity of the human person and respect for human rights; defence of and respect for the sovereignty of the Salvadorian people; the concept of the armed forces as an institution in the service of the nation, free from all considerations of politics, ideology or social standing, and from all other forms of discrimination; and the subordination of the armed services to the constitutional authorities.

Page 5, V. TRAINING SYSTEM FOR THE ARMED FORCES

Full effect will be given. in its entirety to the agreement reached in Mexico on 27 April 1991 whereby the professional training of personnel serving in the armed forces shall place emphasis on the pre-eminence of human dignity and democratic values, respect for human rights and the subordination of such forces to the constitutional authorities. The agreements reached in this respect shall comprise regulatory provisions guaranteeing the foregoing points as well as the admission and instruction systems.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 5, V. TRAINING SYSTEM FOR THE ARMED FORCES
Full effect will be given. in its entirety to the agreement reached in Mexico on 27 April 1991 whereby the professional training of personnel serving in the armed forces shall place emphasis on the pre-eminence of human dignity and democratic values, respect for human rights and the subordination of such forces to the constitutional authorities. The agreements reached in this respect shall comprise regulatory provisions guaranteeing the foregoing points as well as the admission and instruction systems.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 6-7, VII. ECONOMIC AND SOCIAL QUESTIONS
3. The policies for granting loans to the agriculture and livestock sector shall be revised.
4. The Parties refer to the compressed negotiations, as part of the economic and social subject area, consideration of the following topics:
a. Measures required to alleviate the social cost of structural adjustment programmes;
b. Appropriate procedures for direct external cooperation designed to encourage community assistance and development projects;
c. Establishment of a Forum for economic and social accommodation, with participation by the governmental, labour and business sectors, for the purpose of continuing to resolve economic and social problems. The Forum may be open to participation by other social and political sectors as observers, under terms to be determined by it.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Property return and restitution
Page 6-7, VII. ECONOMIC AND SOCIAL QUESTIONS

1. Lands in excess of the constitutional limit of 245 hectares, as well as lands owned by the State which are not currently legally designated forest reserves, shall be used to meet the needs of peasants and small farmers who are without land. To this end, the Government shall also make arrangements to purchase lands offered for sale to the State.

2. The current land-holding situation in the conflict zones shall be respected until a satisfactory legal solution for the definitive land-holding regime is arrived at. The procedures and deadlines for the implementation of this agreement shall be agreed upon in the compressed negotiations.

3. The policies for granting loans to the agriculture and livestock sector shall be revised.

4. The Parties refer to the compressed negotiations, as part of the economic and social subject area, consideration of the following topics:

a. Measures required to alleviate the social cost of structural adjustment programmes;

b. Appropriate procedures for direct external cooperation designed to encourage community assistance and development projects;

c. Establishment of a Forum for economic and social accommodation, with participation by the governmental, labour and business sectors, for the purpose of continuing to resolve economic and social problems. The Forum may be open to participation by other social and political sectors as observers, under terms to be determined by it.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

**Water or riparian
rights or access** No specific mention.

Security sector

**Security
Guarantees** No specific mention.

Ceasefire No specific mention.

Police

Part V. agenda for negotiations on the National Civil Police (PNC)

Page 5-6, VI. NATIONAL CIVIL POLICE

The agenda for the negotiations on the National Civil Police provided for in the constitutional reform approved in the Mexico agreements shall include the following items: 2/

2/ The negotiations on the National Civil Police and on the Public Security Forces are at an advanced stage. The Parties have in their possession a working paper which reflects the progress made.

a. Establishment of the NCP. 3/ Doctrine. Juridical regime;

3/ Given the complexity of the task and the time required to carry it out, the process of organizing the new National Civil Police needs to begin immediately, i.e. without awaiting other political agreements or the cessation of the armed confrontation. To this end, provision of the international advisory services required has already begun.

b. Disbandment of the National Guard and the Treasury Police, as Public Security Forces;

c. Personnel of the NCP;

1/) Vetting of National Police personnel.

2/) Enlistment of new personnel. Pluralistic and non-discriminatory selection and training system.

3/) Profiles and training.

4/) International advisory services and support coordinated by the United Nations. The organization of the NCP and of the National Public Security Academy and the selection of their personnel will be the subject of close international cooperation and supervision.

5/) Transitional regime.

Armed forces

Page 2, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

1. The Comision Nacional para la Consolidacion de la Paz (National Commission for the Consolidation of Peace) (COPAZ) shall be responsible for overseeing the implementation of all the political agreements reached by the Parties. COPAZ is a mechanism for the monitoring of and the participation of civilian society in the process of the changes resulting from the negotiations, in relation both to the armed forces, in particular, and to the other items on the agenda.

Page 2-3, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

4. Powers

... g. COPAZ shall have the power to prepare the preliminary legislative drafts necessary for the development of the agreements which have been reached, both on the subject of the armed forces and on the other items on the agenda.

h. COPAZ shall have the power to oversee the implementation of the agreements reached by the Parties, both on the subject of the armed forces and on the other items on the agenda.

Page 4, II. PURIFICATION 1/

a. A process of purification of the armed forces is agreed upon, on the basis of a vetting of all personnel serving in them by an ad hoc Commission.

b. Participation by the armed forces will comprise two of their personnel, who shall have access only to the deliberations of the Commission.

Page 5, III. REDUCTION OF THE ARMED FORCES

1. The criteria for reduction of the armed forces shall be agreed upon between the Parties.

2. The criteria shall determine inter alia the guidelines on the basis of which:

a. The size to which the armed forces shall be reduced in peacetime shall be determined;

b. The plan for the reduction (manner, timetable, budget, etc.) shall be drawn up.

2/ The negotiations on the National Civil Police and on the Public Security Forces are at an advanced stage. The Parties have in their possession a working paper which reflects the progress made.

Page 5, IV. DOCTRINE OF THE ARMED FORCES

Agreement shall be reached on the redefinition of the doctrine of the armed forces based on the ideas that emerge from the agreements on this subject and from the constitutional reform. It is understood that the function of the armed forces is to defend the sovereignty of the State and the integrity of its territory, and that this doctrine should be based on the principle that the activities and regime of the armed forces shall be consistent with the principles deriving from the concept of the legally-constituted State governed by the rule of law, the primacy of the dignity of the human person and respect for human rights; defence of and respect for the sovereignty of the Salvadorian people; the concept of the armed forces as an institution in the service of the nation, free from all considerations of politics, ideology or social standing, and from all other forms of discrimination; and the subordination of the armed services to the constitutional authorities.

Page 5, V. TRAINING SYSTEM FOR THE ARMED FORCES

Full effect will be given, in its entirety to the agreement reached in Mexico on 27 April 1991 whereby the professional training of personnel serving in the armed forces shall place emphasis on the pre-eminence of human dignity and democratic values, respect for human rights and the subordination of such forces to the constitutional authorities.

The agreements reached in this report shall comprise regulatory provisions guaranteeing the foregoing points as well as the admission and instruction systems.

DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory Alvaro de Soto, Representative of the Secretary-General of the United Nations

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism

Article 1 establishes the Comision Nacional para la Consolidacion de la Paz (National Commission for the Consolidation of Peace) (COPAZ) responsible for the for overseeing the implementation of all the political agreements reached by the Parties, consist of parties reps, one rep of the Legislative Assembly, and Archbishop of San Salvador and UNOMSAL (UN Observer Mission in El Salvador) rep as observers (article 2), non-executive powers only (article 4); Part VII. Article 4.c. provides for forum of economic and social coordination to resolve economic and social problems consisting of govt, labour and business sectors, possibly also observers from other social and political sectors

Page 2, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

1. The Comision Nacional para la Consolidacion de la Paz (National Commission for the Consolidation of Peace) (COPAZ) shall be responsible for overseeing the implementation of all the political agreements reached by the Parties. COPAZ is a mechanism for the monitoring of and the participation of civilian society in the process of the changes resulting from the negotiations, in relation both to the armed forces, in particular, and to the other items on the agenda.

Page 2-3, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

4. Powers

- a. COPAZ shall not have executive powers since it is for the Parties, through their internal machinery, to carry out the peace agreements.
- b. The Parties shall be obliged to consult COPAZ before adopting decisions or measures relating to relevant aspects of the peace agreements. Similarly, COPAZ may consult the Parties, at the highest level, whenever it deems it appropriate to do so. In the event of a difference of opinion as to whether a matter should be submitted to COPAZ, the question shall be decided by COPAZ.
- c. At the request of three or more of its members, COPAZ shall be convened immediately and its opinion heard.
- d. COPAZ shall have direct access to the President of the Republic and shall meet with him whenever COPAZ itself or the President deems it appropriate.
- e. COPAZ shall have access to and may inspect any activity or site connected with the implementation of the peace agreements.
- f. COPAZ shall have the power to issue conclusions and recommendations of any kind relating to the implementation of the peace agreements and to make them public. The Parties undertake to comply with those conclusions and recommendations.
- g. COPAZ shall have the power to prepare the preliminary legislative drafts necessary for the development of the agreements which have been reached, both on the subject of the armed forces and on the other items on the agenda.
- h. COPAZ shall have the power to oversee the implementation of the agreements reached by the Parties, both on the subject of the armed forces and on the other items on the agenda.
- i. COPAZ shall be responsible for the preparation of the preliminary legislative drafts necessary to ensure that all those wounded in the war and, where appropriate, the families of combatants who have died, on both sides, are incorporated into the social security system of the State or receive adequate economic compensation, as provided for by law.
- j. In the performance of its functions, COPAZ shall be authorized to address the relevant organs of the United Nations, through the Secretary-General.
- k. COPAZ shall have full powers to organize its work in the manner which it deems most appropriate and to appoint any groups or subcommissions which it may deem useful in the discharge of its mission. For that purpose, it shall have its own budget.

Page 3, I. COMISION NACIONAL PARA LA CONSOLIDACION DE LA PAZ

5. Form

In addition to being the product of this political agreement, COPAZ shall be confirmed by

Related cases No specific mention.

Source United States Institute of Peace (2001) Peace Agreements: El Salvador - Peace Agreements Digital Collection. Available at: <https://www.usip.org/publications/2001/04/peace-agreements-el-salvador> (Accessed 14 October 2020).
