

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

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|--------------------------------------|--|
| Country/ entity | El Salvador |
| Region | Americas |
| Agreement name | Understandings Regarding the New York Agreement ('The Compressed Negotiations') |
| Date | 25 Sep 1991 |
| Agreement status | Multiparty signed/agreed |
| Interim arrangement | Yes |
| Agreement/ conflict level | Intrastate/intrastate conflict (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 Santamaría; Colonel Mauricio Ernesto Vargas; Dr David Escobar Galindo; Representing the FMLN: Commandant Schafik Handal; Commandant Francisco Jovel; Commandant Eduardo Sánchez Cerén; Commandant Eduardo Sancho; Commandant Joaquín Villalobos; |
| Third parties | UN rep, Alvaro de Soto (signatory, capacity unclear) |
| Description | An agreement providing supplementation of the NY Agreement. Govt accepts degree of participation of former FMLN combatants in NCP in return for FMLN agreeing not to seek the inclusion of its units in the armed forces or to demand dissolution of the armed forces at the negotiation table (however, FMLN may later integrate these demands into their own political agenda after peace is secured). |

**Agreement
document** [SV_910925_Understandings Regarding the New York Agreement.pdf](#)  | [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 | No specific mention. |
| 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) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

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| Economic power sharing | No specific mention. |
| Military power sharing | <p>Power sharing→Military power sharing→Proportionality</p> <p>Page 2, V. REGARDING THE NATIONAL CIVILIAN POLICE (PNC).</p> <p>2. The former combatants of the FMLN will be able to join the PNC provided that they comply with the criteria and the admission requirements established for that reason by COPAZ and approved by the Police Academy. All these matters will be supervised and guaranteed by COPAZ.</p> <p>Page 2, VII. FINAL UNDERSTANDING</p> <p>The Government has accepted a degree of participation of former combatants of the FMLN in the National Civilian Police. As a result the FMLN has committed itself not to raise at the negotiation table the incorporation of its units to the Armed Forces nor to demand the dissolution of the Armed Forces. This understanding will take into account the drafting of the agenda. The FMLN reserves the right to demand the dissolution of the Armed Forces within its own political program as well as the aspiration that its militants can be incorporated within the Armed Forces within the framework of the new conditions of peace.</p> |

Human rights and equality

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| Human rights/RoL general | No specific mention. |
| 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 No specific mention.

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 No specific mention.

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

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| Land reform/ rights | Land, property and environment→Land reform/rights→Other land rights Page 2, VI. REGARDING SOCIO-ECONOMIC MATTERS The Agreements of 3 July 1991 regarding occupied lands adopted between the Government and peasant organisations will be respected. |
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| Pastoralist/ nomadism rights | No specific mention. |
|------------------------------|----------------------|

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| Cultural heritage | No specific mention. |
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|-------------|----------------------|
| Environment | No specific mention. |
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|------------------------------------|----------------------|
| Water or riparian rights or access | No specific mention. |
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Security sector

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|---------------------|----------------------|
| Security Guarantees | No specific mention. |
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| Ceasefire | No specific mention. |
|-----------|----------------------|

Police

Page 1, IV. REGARDING THE NATIONAL PUBLIC SECURITY ACADEMY

1. The National Public Security Academy will be headed by a Director General and an Academic Council. The Academic Council will have regulatory functions within its field. The Director General will be the President of the Academic Council and will carry out executive and administrative functions of the Academy.

Page 2, IV. REGARDING THE NATIONAL PUBLIC SECURITY ACADEMY

2. COPAZ will determine the number of members of the Academic Council. These will be civilians, short-listed by COPAZ on the basis of political pluralist criteria with the aim of being appointed by the President of the Republic.
3. The Director of the Public Security Academy will be appointed by the President of the Republic from a short list proposed by COPAZ.
4. The Academic body of the Academy will be appointed by the Academic Council. COPAZ will establish appropriate mechanisms to ensure that no political tendency predominates within its ranks.
5. The admission system will be determined by the Academic Council which will ensure that such a system is non discriminatory.
6. COPAZ will specially supervise articles 4 and 5.

Page 2, V. REGARDING THE NATIONAL CIVILIAN POLICE (PNC).

1. The Director of the PNC will be appointed by the President of the Republic from a short list proposed by COPAZ.
2. The former combatants of the FMLN will be able to join the PNC provided that they comply with the criteria and the admission requirements established for that reason by COPAZ and approved by the Police Academy. All these matters will be supervised and guaranteed by COPAZ.
3. The transitional regime for the commencement of the PNC will be established by COPAZ. It will consider differentiated criteria and admission procedures according to the educational level and or the areas where the personnel will be recruited from and where they will be deployed. All these matters will be supervised by COPAZ.

Page 2, VII. FINAL UNDERSTANDING

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Armed
forces

Page 1, I. REGARDING CLEANSING

The two members of the Armed Forces will not have access to the investigation stage that the ad hoc Commission will carry out nor will they be involved in the final stage of the investigation but they will be able to have access to its conclusions.

Page 1, III. REGARDING THE ARMED FORCES' EDUCATIONAL SYSTEM

1. The Military School will be governed by a Collegiate System if educational matters; its Director shall be the President of an Academic Council composed of military personnel and civilian academics. The members of the Academic Council will be appointed by the President of the Republic.

2. COPAZ will decide the number of members of the Academic Council which will be made up equally of military personnel and civilians.

3. The civilian members of the Academic Council will be designated on the basis of political pluralistic criteria by the President of the Republic from lists proposed by COPAZ.

4. The academic body will be appointed by the Academic Council which will ensure that no political tendency predominates within it.

5. The Director of the Military Academy will be appointed by the President of the Republic.

6. The admission system will be determined by the Academic Council and it will ensure that the system is non-discriminatory.

7. COPAZ will specifically supervise compliance with articles 3,4 and 6.

Page 2, VII. FINAL UNDERSTANDING

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DDR

Security sector→DDR→DDR programmes

Page 1, II. REGARDING REDUCTION

1. The execution of the plan of reductions will commence following the signing of the cessation of the armed conflict. The Government will present the reduction plan to the Secretary General, no later than the signing of cessation of the armed conflict.

Page 2, V. REGARDING THE NATIONAL CIVILIAN POLICE (PNC).

2. The former combatants of the FMLN will be able to join the PNC provided that they comply with the criteria and the admission requirements established for that reason by COPAZ and approved by the Police Academy. All these matters will be supervised and guaranteed by COPAZ.

Page 2, VII. FINAL UNDERSTANDING

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Intelligence services

No specific mention.

Parastatal/
rebel and
opposition
group
forces

Page 1, II. REGARDING REDUCTION

1. The execution of the plan of reductions will commence following the signing of the cessation of the armed conflict. The Government will present the reduction plan to the Secretary General, no later than the signing of cessation of the armed conflict.

2. The Secretary General will in due course make the reduction plan known to the FMLN prior to the signing of the cessation of the armed conflict.

Page 2, V. REGARDING THE NATIONAL CIVILIAN POLICE (PNC).

2. The former combatants of the FMLN will be able to join the PNC provided that they comply with the criteria and the admission requirements established for that reason by COPAZ and approved by the Police Academy. All these matters will be supervised and guaranteed by COPAZ.

Page 2, VII. FINAL UNDERSTANDING

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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 | Page 1, I. REGARDING CLEANSING The two members of the Armed Forces will not have access to the investigation stage that the ad hoc Commission will carry out nor will they be involved in the final stage of the investigation but they will be able to have access to its conclusions. |
| 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

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| UN signatory | Signed by Alvaro de Soto – Representative of the Secretary General of the United Nations. |
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Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

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).
