



Global Expertise. Local Solutions.
Sustainable Democracy.

Elections in Guatemala

2015 General Elections

Frequently Asked Questions

Latin America and the Caribbean

International Foundation for Electoral Systems

1850 K Street, NW | Fifth Floor | Washington, D.C. 20006 | www.IFES.org

September 3, 2015

Frequently Asked Questions

When is Election Day?..... 1

Who are citizens voting for on Election Day?..... 1

How many registered voters are there?? 1

Why are these general elections so important?..... 1

Who is running in this election? 1

What is Guatemala’s electoral system?..... 2

What is the election management body? What are its powers? 2

Are there reserved seats for women? What is the gender balance within the candidate list? 3

How many polling stations are set up on Election Day?..... 3

Is out-of-country voting allowed?..... 3

How will voters with disabilities cast their ballots?..... 3

How are rights of LGBTI communities respected?..... 3

Where are voting, counting and tabulation held?..... 4

Who will be/can observe during Election Day? 4

When will official results be announced? 4

How will election disputes be adjudicated? 4

How will Election Day security be ensured? 5

What are the rules for campaign finance? 5

Resources 6

Disclosure:
These FAQs reflect decisions made by the Guatemalan election authorities, to the best of our knowledge as of September 3, 2015. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

On September 6, Guatemalans will go to the polls for the 2015 general elections.

Who are citizens voting for on Election Day?

In the upcoming elections, Guatemalan voters will be electing the next President and Vice President, 158 Representatives to Congress, 20 Representatives to the Central American Parliament, and Mayors and Local Councils for the country's 338 municipalities.

How many registered voters are there??

A total of 7,553,873 Guatemalans are registered and eligible to vote in the September 6 elections.

Why are these general elections so important?

These elections come at a very delicate time with Guatemala at a crossroads as a large number of recent corruption scandals involving the political class in Guatemala have come to light as a result of investigations by the International Commission against Impunity in Guatemala and the Public Ministry. These scandals have led to the resignation and recent arrest of former Vice President Roxana Baldetti, and have called into question a number of government officials and members of Congress from various parties. President Otto Pérez Molina, also allegedly involved in the corruption network, resigned on September 2 following large-scale protests from various sectors – including civil society, academia, business, and religious groups – demanding his resignation and losing his presidential immunity.

Who is running in this election?

There are a total of 26 political parties and organizations participating in different local and legislative elections and 14 political parties that have nominated presidential and vice presidential candidates, including:

- Commitment, Renovation and Order and Unionist Party (*Compromiso, Renovación y Orden – Unionista* [CREO – Unionista])
 - **Candidate:** Roberto Gonzalez
- Encounter for Guatemala (*Encuentro por Guatemala*)
 - **Candidate:** Jose Angel Lopez Camposeco
- National Convergence Front (*Frente de Convergencia Nacional* [FCN])
 - **Candidate:** Jimmy Morales
- Strength Party (*FUERZA*)
 - **Candidate:** Alejandro Giammattei
- Renewed Democratic Liberty (*Libertad Democrática Renovada* [LIDE])

- **Candidate:** Manuel Baldizon
- National Revolutionary Movement (*Movimiento Nacional Revolucionario* [MNR])
 - **Candidate:** Anibal Garcia
- National Advancement Party (*Partido de Avanzada Nacional* [PAN])
 - **Candidate:** Juan Guillermo Gutierrez
- Patriot Party (*Partido Patriota* [PP])
 - **Candidate:** Mario David Garcia
- Republican Institutional Party (*Partido Republicano Institucional* [PRI])
 - **Candidate:** Luis Fernando Perez
- Everyone Together for Guatemala (*Todos Juntos por Guatemala* [TODOS])
 - **Candidate:** Lizardo Sosa
- Nationalist Change Union Party (*Unión del Centro Nacional* [UCN])
 - **Candidate:** Mario Estrada
- National Unity of Hope Party (*Unidad Nacional de la Esperanza* [UNE])
 - **Candidate:** Sandra Torres
- Guatemalan National Revolutionary Unity (URNG-Winaq)
 - **Candidate:** Miguel Angel Sandoval
- Vision with Values Party (*Visión con Valores* [VIVA])
 - **Candidate:** Zury Rios

What is Guatemala's electoral system?

Guatemala has a presidential system elected by absolute majority. The Congress is unicameral and elected through party list proportional representation. Currently, Guatemala has a total of 28 registered parties. Fourteen of the parties are presenting candidates for President and Vice President.

What is the election management body? What are its powers?

The Supreme Electoral Tribunal (TSE) is the country's highest authority on electoral matters. It is an independent body made up of five principal magistrates and five alternates who are elected by Congress to six-year terms. In their responsibilities, the electoral authorities in Guatemala are charged with:

- Ensuring compliance with the Constitution, laws and regulations to ensure the organization and political participation of citizens;
- Organizing and administering elections;
- Serving as part of the National Registry of Persons;
- Resolving appeals in reference to decisions by the Citizens' Registry; and
- Resolving electoral disputes brought up to the magistrates.

Are there reserved seats for women? What is the gender balance within the candidate list?

In Guatemala women make up about 52 percent of the population, and of those eligible to vote. However, there is still a great gap between men and women running and occupying elected office. In the current legislature, there are only 19 women out of 158 Representatives. Following the 2011 elections, reforms to Article 212 of the Electoral and Political Parties Law were submitted trying to achieve gender parity in the electoral process. However, the legislature rejected the amendments seeking the alternation of male and female candidates on party lists to improve their chances of being elected. Currently, there is a 30 percent non-binding gender quota for political parties' nominations that does not require alternation, reducing the chances of more women being elected to office.

How many polling stations are set up on Election Day?

The electoral authorities have set up 19,581 polling stations throughout the 338 municipalities in the country.

Is out-of-country voting allowed?

While efforts have been made by migrant advocates, Guatemala does not currently allow out-of-country-voting. However, the electoral law that is under review by the Constitutional Court contemplates some provisions to allow out-of-country-voting.

How will voters with disabilities cast their ballots?

Under the law, voters with disabilities are afforded the right to vote with the assistance of a person of their choice. However, over the years, the Supreme Electoral Tribunal (TSE) has implemented actions to ensure people with disabilities can exercise their vote on equal footing with the rest of the population. In those efforts, the TSE:

- Has braille ballots available for voters with visual disabilities;
- Has voting booths that are physically accessible for wheelchair users; and
- Provides guidance to poll workers on how to administer the vote to persons with disabilities and respect their rights.

How are rights of LGBTI communities respected?

The Supreme Electoral Tribunal (TSE) is committed to respect the civil and political rights of every citizen in Guatemala, including the LGBTI community. Therefore, during this election period, training on the rights of the LGBTI community has been provided to election workers; the TSE has also included a section in the

poll worker manual that emphasizes the political rights of this community to promote inclusion and reduce discrimination.

Where are voting, counting and tabulation held?

The official vote counting starts at 6:00 p.m. on Election Day. Votes are counted manually at each of the 19,581 polling stations by the members of the Election Reception Boards (JRV) that consist of five members, including a President. The vote counting process will be overseen by poll watchers from the political parties, and national and international observers. As part of the process, the political party poll-watchers witness, verify and sign the tally sheets that are submitted to the voting center for official transmission to the Supreme Electoral Tribunal (TSE) National Preliminary Results Center. The tally sheets are transmitted using a scan technology where the information will be sent to the TSE Tabulation Center in Guatemala City where all the information in the tally sheets from the voting centers will be verified and tabulated.

Who will be/can observe during Election Day?

Guatemala will have both national and international observers who will participate in the electoral process. National observers must be Guatemalan Citizens, possess a photo ID and cannot be affiliated with a political party. International observers must be invited by the Supreme Electoral Tribunal (TSE) or have a particular interest in observing the elections. The expected national observation groups for September 6, include: Mirador Electoral (Electoral Watch), San Carlos University (USAC), Rafael Landivar University (URL), the Human Rights Ombudsman's Officer (PDH), and the Indigenous Electoral Observatory (OEI), among others. International Observation groups include the Organization of American States (OAS), Peace Brigades International (PBI), and the European Union, among others.

When will official results be announced?

The Supreme Electoral Tribunal (TSE) is expected to announce preliminary results on election night or shortly thereafter; however, according to Article 245 of the electoral law, the final official results must be announced within eight days after elections.

How will election disputes be adjudicated?

The Guatemalan legal framework establishes different types of disputes that may have to be resolved during the electoral process. There are complaints typically brought up at the voting center level by political party poll watchers. These complaints typically regard the validity of casted ballots during the vote counting process. In the case that ballots are called into question, Election Reception Board members will follow procedures by completing the appropriate forms, which must be signed by the poll watcher who is filing the complaint, and the ballot(s) must be set aside and submitted to the Municipal Electoral Board who in turn will submit to the Departmental Electoral Board for review according to the electoral

law, and is therefrom elevated to the Supreme Electoral Tribunal (TSE) at the national level. The TSE may call for the annulment of elections in a polling station if there is evidence of tampering or any violations of the electoral bags containing the ballots. Furthermore, there are other electoral disputes before and after the elections that may be brought in front of the TSE and the Electoral Prosecutor's office, which have their timelines for resolution.

How will Election Day security be ensured?

While electoral-related violence happens throughout the electoral cycle, most of the violence in previous elections has been linked to voters' disagreement with results of the polls, particularly at the local level. The Supreme Electoral Tribunal (TSE) conducted a risk assessment and mapped 74 municipalities identified as at a high risk for electoral violence. As the highest authority on elections, the TSE is responsible for coordinating electoral security with relevant stakeholders. To that end, and based on its risk assessment and mapping, the TSE has established electoral security working groups with the Ministry of Interior, Public Ministry, Ministry of Defense, National Police, emergency responders, and others to mitigate and address electoral security issues that may occur on Election Day and the days following the elections. A Crisis Management Center (CMC) will be established at TSE Election Headquarters and will be staffed by representatives of the electoral security working group. The group in the CMC will be collecting data from the local level that will allow for a coordinated response to any incidents of violence that may arise during this period, and after the elections.

What are the rules for campaign finance?

The current electoral law stipulates that political parties can spend the equivalent of \$1 (USD) for each registered voter through December 31 of the year prior to elections. This electoral cycle, the Supreme Electoral Tribunal (TSE) set the spending limit for political parties at 58,229,625 GTQ (about \$7.6 million [USD]). If any political party exceeds the ceiling set for the election period – which begins when the TSE officially announces the date for elections and ends 36 hours before Election Day – the TSE can publicly denounce the offending party and impose penalties imposed by law. If the party continues to exceed the spending limit, even after being denounced publicly and/or sanctioned, the party could face suspension after the electoral process is finished. The electoral process typically culminates with the official announcement of the results, although the exact date is not stipulated by law.

In addition, political parties are prohibited from receiving any donations from any foreign government, NGOs, or private individuals. Any donation or contribution to candidates must be channeled through their political parties and cannot be anonymous. No contributions from an individual person or legal entity can exceed 10 percent of the authorized limit for individuals by the TSE. The account records for political parties must be publicly available and all donations must be legally recorded in the parties' internal accounting records subject to auditing by the TSE.

Resources

- [Elections 2015 Website](#) (Spanish)
- [Electoral and Political Parties Law](#) (Spanish)
- [Guatemalan Constitution](#) (English)
- [Supreme Electoral Tribunal](#) (Spanish)