



International Foundation
for Electoral Systems

Election FAQs: Guatemala

2023 Presidential Election Runoff

August 20, 2023

Latin America and the Caribbean

International Foundation for Electoral Systems

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August 18, 2023

Frequently Asked Questions (FAQs)

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Election Snapshot

- Election Day: August 20, 2023
- Registered voters: [9,361,068](#)
- Polling stations:
 - 3,481 in Guatemala
 - [17](#) in the United States
- Seats:
 - President and vice president
 - 5 mayors
 - 47 members of city councils

When is Election Day?

On Sunday, August 20, 2023, Guatemala will hold a second-round presidential election. The polls will be open from 7 a.m. to 6 p.m. This election follows the first-round presidential election held on Sunday, June 25, 2023, with the country's legislative, local, and Central American Parliament elections. Voters in five municipalities will also vote for mayors and municipal councils. These two election days mark the country's 10th electoral cycle since the restoration of democracy by the 1985 Constitution.

Why are these elections important?

In 2023, Guatemalans elected representatives at all levels of government. With the runoff, they will select their next president and vice president. With concerns about the economy, security, and corruption at an all-time high, Guatemalans can make their voices heard and channel their hopes and frustrations into political change. The past months and years have seen political retaliation against judges, prosecutors, journalists, and anti-corruption activists; the new government could enact the reforms and changes needed to set the country on another path.

Who are citizens voting for on Election Day?

During these elections, citizens registered to vote in Guatemala will go to the polls to choose their president and vice president from the two pairs of candidates who garnered the largest number of votes in the first round in June 2023. These leaders will serve four-year terms, from 2024 to 2028.

The president and vice president are elected on the same ballot by an absolute majority of over 50 percent of the votes. The second round is necessary because no pair of candidates obtained an absolute majority during the first round. The current president of Guatemala is not permitted to serve a second term, and a former vice president may run for the presidency only after four years out of the post.

Voters in five municipalities will also vote for mayors and municipal councils. The Supreme Electoral Tribunal decided to repeat the June 25 elections in those municipalities due to high levels of insecurity and unrest on Election Day. The five municipalities are San José del Golfo,

San Martín Zapotitlán de Retalhuleu, Yepocapa in Chimaltenango, San Pablo Jocopilas de Suchitepéquez, and San Bartolomé Jocotenango.¹

What is the electoral system?

Guatemala is a presidential republic with three branches of government: executive, legislative, and judicial, as established in Article 141 of the 1985 Constitution.

The executive branch consists of the president and vice president of the Republic of Guatemala and the ministers of their respective departments. The president leads the government, state, and multi-party system.

The Congress of the Republic exercises legislative power. It is a unicameral legislature elected by closed-party list proportional representation. Of the 160 seats in Congress, 128 are elected directly in 23 multi-member electoral districts. Each electoral district represents one of Guatemala's 22 departments (administrative divisions), with one exception. The department of Guatemala, which includes the capital city, is divided into two districts. The 32 remaining representatives are elected from a national list through proportional representation.

To lead local governments, the president appoints the governors of the 22 departments to four-year terms. The task of governing the 340 municipalities falls under the authority of mayors and councils that the people elect directly.

How many presidential candidates ran in the first round?

For the June 2023 general elections, the national assemblies of Guatemalan political parties nominated 22 presidential and vice-presidential pairings as candidates. The Supreme Electoral Tribunal approved the nominations. As no single pair of candidates received the required absolute majority in the first round on June 25, the top two pairs of candidates will face each other in a runoff on August 20. Voter turnout in the first round was 59.8 percent.²

Who are the candidates in this second round?

The candidates competing in the second-round presidential election are former first lady Sandra Torres of Hope's National Unity (*Unidad Nacional de la Esperanza*) party, with running mate Romero Guerra, and former ambassador to Spain Bernardo Arévalo of the Semilla Movement (*Movimiento Semilla*) party, with running mate Karin Herrera. Of the 4,212,460 valid presidential votes cast in the first round, Torres won 888,924 (21.1 percent), and Arévalo won 653,486 (15.9 percent).³

What are the campaign expenditure and donation limits?

Private campaign finance

¹ [TSE declara validez de las elecciones del 25 de junio y convoca a segunda vuelta](#)

² [International IDEA Country View: Guatemala](#)

³ [Supreme Electoral Tribunal Portal: Resultados Electorales Preliminares 2023](#)

In 2019, reforms to the Electoral and Political Parties Law (LEPP) established new rules for campaign finance. The law reduced the ceiling for private campaign finance from U.S. \$1.00 to \$0.50 per registered voter.⁴ While the total limit in 2019 was nearly GTQ 29.7 million (U.S. \$3.8 million), in 2023, it is GTQ 34.9 (U.S. \$4.5 million) for each of the 30 registered political parties. Under the reformed LEPP, political parties must maintain accounts in each department and municipality where they are present. To verify political parties' financial management practices, the Supreme Electoral Tribunal can request financial information from the Comptroller General of Accounts, Fiscal Administration Superintendency, and Bank Superintendency.⁵

Public campaign finance

According to the LEPP, the state will contribute funding to each political party at the equivalent of U.S. \$2.00 for every vote cast for the offices of president and vice president or for deputies in the national list. To be eligible for this funding, the party must have obtained at least 5 percent of valid votes cast for the seats being contested above or have at least one seat in Congress.

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

The Supreme Electoral Tribunal (TSE) is the election management body of Guatemala. In 1982, the Organic Law of the Supreme Electoral Tribunal, passed under Executive Decree 30-83, established the TSE and declared it an autonomous body, independent of any other government authority.

The TSE is directly responsible for regulating all activities related to exercising citizens' electoral rights—including political parties' activities, using political rights and organization, and serving as an electoral authority—to promote free and transparent elections in Guatemala. The TSE is also responsible for election dispute resolution. Additionally, as of 1983, the TSE is charged with convening the National Constituent Assembly, which wrote and now enforces the Political Constitution of the Republic. The Political Constitution and the Electoral and Political Parties Law (LEPP) govern the TSE. The 2016 reforms to the LEPP expanded the TSE's oversight powers, including over political and campaign finance and campaigns' use of the media. Since the revisions to the LEPP were passed, the TSE established specialized units to comply with these powers—the Media and Public Opinion Studies Specialized Unit and the Political Party Finance Control and Oversight Specialized Unit.

Five incumbent magistrates and five alternate magistrates make up the TSE. The Postulation Commission nominates magistrates. Candidates must be approved by a two-thirds majority of the deputies of the Congress of the Republic. The magistrates serve six-year terms; the current term runs from 2020 to 2026.

To what extent do women have equal access to political participation?

Guatemala uses national and international tools to promote women's rights and participation.

⁴ Tribunal Supremo Electoral de Guatemala, Ley Electoral y de Partidos Políticos <https://www.tse.org.gt/images/LEPP.pdf>

⁵ Prensa Libre. 2023. "[Decisión Libre 2023: Partidos Políticos Tendrán Un Techo de Campaña de Q34.9 Millones.](#)" January 10, 2023.

Domestically, the Supreme Electoral Tribunal (TSE) is governed by several laws that stress the country's commitment to eradicating gender-based violence and the goal of promoting the participation of women. These include:

- Law for the Prevention, Sanction, and Eradication of Interfamily Violence, Decree Num. 97-96;
- Law for the Integral Promotion Dignity of Women, Decree Num. 7- 99;
- Law for Social Development, Decree Num. 42-2001;
- Law for Urban and Rural Development Councils, Decree Num. 11-2002;
- Municipal Code, Decree Num. 12-2002;
- General Decentralization Law, Decree Num. 14-2002;
- National Languages Law, Decree Num. 19-2003;
- Law on Educational Promotion Against Discrimination, Decree Num. 81-2002;
- Law on Universal, Equitable, and Quality Access to Family Planning Services and its Integration into the National Program on Reproductive Rights, Decree Num. 87-2005; and
- Law Against Femicide and Other Forms of Violence Against Women, Decree Num. 22-2008.

The TSE includes policies in its Institutional Strategic Plan (2021–26) that promote women's participation in the political and electoral spheres, such as its Gender Equality Policy, which establishes actions that facilitate the increased representation and participation of Indigenous women, including "Mayan, garífuna, xinka and mestiza women" in the electoral process.⁶

Guatemala signed and ratified the Convention on the Elimination of All Forms of Violence Against Women through Decree Num. 49-82. It also incorporated actions to meet the requirements of the Global Action Platform (Beijing, 1995) through implementing its third policy by the Department of Political Promotion for Women and other national plans (its annual operational plans).

What measures are in place to mitigate electoral violence?

While violence may occur at any point during the electoral cycle, it is commonly related to disagreements among voters about voting results and is especially prevalent at the local level. The domestic election observation group Mirador Electoral reported 14 violent deaths and armed attacks in the 2019 electoral cycle.⁷ Also notable in 2019, the entire voting board in the town of San Jorge, Zacapa, resigned hours before the June 16 elections after receiving death threats. As a result, the Supreme Electoral Tribunal (TSE) was forced to suspend voting until a reinforced police presence enabled residents to vote during the second round of elections in August 2019.⁸ This recent history of electoral conflict highlights the importance of preparations for conflict prevention and mitigation.

During the 2023 electoral cycle, the TSE has conducted regular assessments to map the risks of electoral conflict and identify municipalities at high, medium, and low risk. As the highest election

⁶ [TSE: Plan estratégico institucional 2021-2026.](#)

⁷ Prensa Libre. 2019. "[Gastos de Campaña Excesivos Y Conflictividad En El Proceso Electoral Reporta Mirador Electoral.](#)" June 13, 2019.

⁸ Prensa Libre. 2019. "[Junta Electoral Renuncia Por Amenazas Y Suspenden Los Comicios En San Jorge, Zacapa.](#)" June 16, 2019.

authority, the TSE coordinates electoral security with relevant stakeholders. To that end, and based on its risk assessment and mapping, the TSE 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 afterward. A crisis management center will be established at TSE election headquarters and staffed by Electoral Security Working Group representatives. The center will collect data at the local level that will enable a coordinated response to any violence that may arise during and after the elections.

For these elections, the TSE developed the Agreement for an Ethical, Peaceful, Organized, and Democratic Campaign, comprising 16 commitments by political parties to promote an electoral process free of conflict and violence.⁹ The commitments emphasize peace and tolerance for and among all candidates and citizens; 27 of the 30 registered parties signed the document. The TSE developed similar department-level ethical pacts to promote peaceful and ethical local elections.

Who can vote in these elections?

Guatemalans over the age of 18 are eligible to vote. For the August 20 elections, there are 9,361,068 registered voters (5,067,859 women and 4,293,209 men). Since the 2019 elections, the number of registered voters increased by 1,307,085 from the 8,053,983 (4,324,331 women and 3,729,052 men) who voted in that year.¹⁰ Registered voters between the ages of 18 and 25 make up 8.7 percent of the electorate (811,128 voters).¹¹ The Supreme Electoral Tribunal has a website to facilitate registration. The deadline for voter registration in these elections was March 25.

In Guatemala, the police and active-duty members of the armed forces cannot vote and must remain in their facilities on Election Day.

What provisions are in place that support the equal rights of women, persons with disabilities, and other marginalized groups?

The Supreme Electoral Tribunal (TSE) takes specific actions to ensure that persons with disabilities have the same opportunities to exercise suffrage as the rest of the population. According to Guatemala's electoral laws, citizens with disabilities have the right to vote with the assistance of a person of their choice. To ensure equity, the TSE:

- Makes five sets of braille ballots available at each polling booth for voters with visual impairments;
- Provides voting booths that are accessible for voters who use wheelchairs;
- Trains electoral workers to administer the vote to persons with disabilities and to respect their rights; and
- Ensures that all voting centers are located at ground level.

⁹ [Agreement for an Ethical, Peaceful, Organized and Democratic Campaign](#) (in Spanish).

¹⁰ Pérez, Yuly. 2019. "[¿Cuántos Guatemaltecos Se Empadronaron? TSE Revela El Dato.](#)" Publinews.

¹¹ Sapalú, Lucero. 2023. "[TSE Cierra Padrón Electoral Con Más de 9 Millones de Empadronados, Pero No Alcanza La Meta.](#)" La Hora. March 26, 2023.

In April 2023, 27 of Guatemala's 30 political parties registered in the elections signed the Agreement for an Ethical, Peaceful, Organized and Democratic Campaign. That agreement included the parties' commitment to promote more inclusive elections. One commitment states that electoral campaigns must avoid harassment and violence, including in messages and images, toward women, Indigenous populations, persons with disabilities, LGBTIQ communities, and others. Another commitment establishes that social media and other communications technology will not be used to spread disinformation or propagate hate speech against women, persons with disabilities, Indigenous populations, or LGBTIQ communities.¹²

Is out-of-country voting allowed?

In 2019, Guatemalans residing abroad were able to vote in a presidential election for the first time. Article 1 of Decree 26-2016, which reformed the Electoral and Political Parties Law, establishes that:

"The Supreme Electoral Tribunal (TSE), with support from the state institutions to which this request was made, will conduct the necessary actions to ensure the right. Out-of-country voting will take place on the same date as Election Day in Guatemala, and in all cases the TSE will be charged with the enforcement of all rules relative to the implementation of the voting process for all Guatemalan citizens residing out of the country."

In 2019, the TSE organized in-person voting at four voting centers for 63,267 registered Guatemalans who reside in the United States. However, only 734 Guatemalans voted from the United States in 2019.

For the 2023 elections, 90,708 Guatemalans living in the United States were registered to vote.¹³ During this electoral cycle, the TSE increased its efforts to spread awareness of how and where to vote in the United States, hoping to increase turnout significantly. The TSE also set up voting centers in 15 U.S. cities to serve voters on June 25.¹⁴ Still, out-of-country turnout during the June 2023 General Election was low, with only 1,443 votes cast from the United States.

Who can observe during Election Day? How can they get accreditation?

Guatemala will have both national and international electoral observers. The Supreme Electoral Tribunal (TSE) has an online portal for observers to apply. According to TSE guidelines, national observers must be Guatemalan citizens, must have photo identification cards, and cannot be affiliated with a political party. International observers must receive an invitation from the TSE and have an interest in electoral observation. The TSE expects 45 national and 29 international electoral observation missions during both the first round and run-off on August 20.¹⁵

¹² [Agreement for an Ethical, Peaceful, Organized and Democratic Campaign](#) (in Spanish).

¹³ Montenegro, Julio Román y Henry. 2023. "[Elecciones En Guatemala 2023: Cuántos Guatemaltecos Se Empadronaron En El Extranjero Y Otras Curiosidades de La Depuración Del Padrón Electoral.](#)" Prensa Libre. April 28, 2023.

¹⁴ <https://migrante.tse.org.gt/home>

¹⁵ Najjarro, Fátima. 2023. "[TSE espera más de 22 mil observadores para vigilar el proceso electoral.](#)" Prensa Libre. April 24, 2023.

Where are vote counting and tabulation held?

The official vote count will begin at 6 p.m. on Election Day. Votes will be counted manually at each of the 24,585 vote reception boards. Each board has five members, including a president. Poll watchers from political parties and national and international observers will oversee vote counting. As part of the process, the political party poll watchers witness, verify, and sign the tally sheets submitted to the voting center for official transmission to the Supreme Electoral Tribunal (TSE) National Preliminary Results Center via scan technology. The TSE's transmission of preliminary results entity expects to announce the first results beginning at 9 p.m. on Election Day.

When will official results be announced?

The Supreme Electoral Tribunal is expected to announce preliminary results beginning at or shortly after 9 p.m. on Election Day. According to Article 245 of the Electoral and Political Parties Law, the final official results must be announced within eight days after the elections.¹⁶

¹⁶ LARED. n.d. [Elecciones 2023: ¿A qué hora proyecta el TSE que se conocerán los resultados electorales el 25 de junio?](#)

Resources

- [Supreme Electoral Tribunal 2023 elections website](#)
- [1985 Constitution](#)
- [2019 Electoral and Political Parties Law](#)
- [Americas Society Guatemala 2023 presidential elections explainer](#)

About IFES in Guatemala

In 2017, the International Foundation for Electoral Systems (IFES) and the Consortium for Elections and Political Process Strengthening began work on the Electoral Governance and Reforms Project, funded by the United States Agency for International Development. This ongoing program aims to improve governance within Guatemala's key electoral institutions and increase civic participation. Building on its long-term partnership with the Supreme Electoral Tribunal, IFES committed its support to implementing the most recent reforms to the Electoral and Political Parties Law (*Ley Electoral y de Partidos Políticos*), approved in 2016 and enacted in 2019.

Disclosure

These FAQs reflect decisions made by the Supreme Electoral Tribunal of Guatemala as of August 18, 2023, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

This paper is made possible by the generous support of the American people through the United States Agency for International Development (USAID). The information herein is provided by the author(s) and does not necessarily reflect the views of USAID or the United States Government.