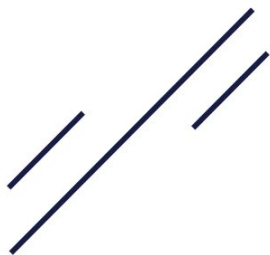




Report
August 2019

GUATEMALA Presidential elections

Ballotage pre-election report



Political Analysis
Regulatory Information Service



EXECUTIVE SUMMARY

The second round of presidential elections in the Republic of Guatemala will be held on **August 11**. **Sandra Torres** (Unidad Nacional de la Esperanza - center-left), **Alejandro Giammattei** (Vamos - center-right) are competing for the presidency of the country.

There are several novel elements to the elections - which come amid **widespread public dismay** at Guatemalan politicians following a spate of **corruption scandals** - such as in terms of the political parties in contention.

Because of concerns over graft, voters are leaning toward two candidates who have put **anti-corruption** at the heart of their plans for government.

Who is being voted for?

The second round to take place Sunday, August 11, is to pick the next President and Vice President for the period 2020-2024.

Electoral calendar

The [Political Constitution](#) of Guatemala dictates that the President shall hold office for four years (Sec. 184). According to the [Electoral and Political Parties Law](#), elections shall be held on “a Sunday in the month of June of the same year in which they are called” (Sec. 196)

In line with the Constitution, if none of the candidates secures an outright majority a second round is to be held between 45 and 60 days later - also on a Sunday. This would then be a run-off between the two most voted-for candidates from the first round (Sec.184).

In the first round, which took place June 16, Sandra Torres won the election with 22.08% of the votes. Alejandro Giammattei came in second with 12.06%. As a result, and in accordance with the electoral law, both candidates were able to compete in the ballotage.

In view of this result, and in line with the country's Constitution, the runoff ballot is to be held on **August 11**.

On June 16, 160 deputies were also elected to Congress for the period 2020-2024.

How are presidents voted in?

By free, universal and secret suffrage.

Who are the candidates?

There are two candidates for the Presidency: Sandra Torres (Unidad Nacional de Esperanza - center-left) and Alejandro Giammattei (Vamos - center-right).

When does the next administration take office?

The winning presidential candidate is set to take office January 14, 2020.

Political context

- **Corruption.** The battle on graft looms large in the elections, following the implication of numerous public officials from across the political divide in various corruption scandals in recent years. This has sparked angry protests across the country against the Guatemalan political class.

The incumbent President of Guatemala, Jimmy Morales, was accused in September 2018 of illicitly financing his electoral campaign. Behind that accusation was the International Commission against Impunity in Guatemala (CICIG), a UN agency. CICIG sought to lift Morales's immunity from prosecution and have him answer for his alleged crimes. However, Congress vetoed the move and Morales kept his immunity.

In response, Morales attempted to bring to an early end CICIG's mandate in Guatemala (which officially expires on September 3 this year), on the grounds that its activities "disturbed public order and national security". Before that he had sought CICIG's immediate expulsion from the country, defying a ruling to the contrary from the country's highest court. The standoff gained international profile when high-level officials, notably UN Secretary General Antonio Guterres, spoke of the matter as violating Guatemala's democracy

The accusation against Morales reignited calls for further investigations especially into those of public officials who came to prominence in 2015, when then-President Otto Pérez Molina resigned following alleged involvement in crimes of illicit association and bribery. It was once again CICIG, along with the Guatemalan Public Ministry, who leveled those allegations. Other officials accused of corruption are the current Minister of Economy Acisclo Valladares and the deputy and former candidate for president for the ruling *Frente de Convergencia Nacional* (FCN), Estuardo Gáldamez.

Political context

- **Novelties of this year's vote.** The elections feature several new elements, following the reform of the [Electoral and Political Parties Law \(LEPP\)](#) in 2016. For a start, the maximum duration of election campaigns has been cut from four to three months; and measures have been introduced to ensure more even-handed media advertising for rival parties. Guatemalans who are based abroad will now be eligible to vote, whereas for the first time protest (or blank) ballots will be permitted.

Another distinct feature of the elections is that two popular would-be candidates for president were barred from taking part of the first round: Thelma Aldana and Zury Ríos. The candidacy of Thelma Aldana, a former prosecutor, was annulled by the Judicial Branch over alleged irregularities in her enrollment in the Electoral Tribunal. Aldana made a name for herself in spearheading the anti-corruption drive in 2015 that led to the resignation of President Pérez Molina. Ríos was prevented from running, meanwhile, because she is the daughter of Efraín Ríos Montt, Guatemala's dictator from 1982-1983. (The Constitution bars up to fourth degree relatives of those claiming power through coups from running for president (Sec 186)).

Political context

- **Limited lawmaking.** In the first ordinary session of Guatemala's Congress, from January 14 to May 15, lawmakers passed only four bills, markedly fewer than for the same period in 2017 (eight) and in 2018 (13). The lack of progress in Congress was largely down to three factors:
 - Several legislators frequently missed sessions preferring to focus on campaigning in their districts, often leading to a lack of quorum.
 - The Congressional Board of Directors is made up of political parties whose interests vary, which has made it difficult to reach consensus.
 - Considerable attention was placed on meetings with the Ministers of Social Development and Communications, in which they were held to account for their current administrations as Ministers. And because of the lack of a quorum, sessions were repeatedly adjourned, delaying interpellations and preventing deputies from moving forward with the legislative agenda.

As a result, bills on [competition](#), [promotion of healthy eating](#), [family agriculture](#), [reform of the Law on Banks and Financial Groups](#) and [reform of the Law on Non-Governmental Organizations for Development](#), among others, remain pending.

The candidates

The two candidates to compete in the run-off ballot August 11 are:



**Alejandro
Giammattei**
Vamos



Doctor, 63.

A qualified surgeon, he holds a degree in Medicine from the University of San Carlos de Guatemala.

During his professional career, Giammattei was Director of Cedros Hospital Lebanon from 1981 to 1983. Between 1983 and 1985 he led the General Directorate of Health Services of the Ministry of Public Health.

He has worked in business since 1991, with assorted companies including banks and automobiles.

In the public sector, Giammattei, who represents the Vamos Guatemala party, served as General Coordinator at the Supreme Electoral Tribunal at the time of the elections of 1985, 1988 1990 and 1991. He also acted as Director of the Department of Urban Public Transport of the Municipality of Guatemala (1985).

Giammattei was Private Secretary of the Vice Presidency in 1993. In 2005, he became Director of the Penitentiary System, from where he successfully backed reforms to the Penitentiary System.



Sandra Torres
Unidad Nacional
de la Esperanza



Politician, 64.

Presidential candidate for UNE, Torres graduated in Communication Sciences from the University of San Carlos in Guatemala, and holds a Master's degree in Public Policy from Rafael Landivar University.

She is Secretary General of the Unidad Nacional de la Esperanza (UNE) party and has business experience in cosmetics. Torres Casanova is the ex-wife of Álvaro Colom, Guatemala's President between 2008-12.

Torres Casanova entered politics in 2002; she founded the Unidad Nacional de la Esperanza party, which won the presidency and most parliamentary seats in 2007. During Colom's presidency, Torres headed the Social Cohesion Council from where she ran programs such as *Mi Familia Progresá*, *Bolsa Solidaria* and *Comedores Solidarios*.

In 2015 she was candidate for the presidency of the nation and became the first woman in Guatemala to reach a second round of elections.

Government Plan



Alejandro Giammattei
Vamos

- **Finance.** Create a Financial Stability Commission and update the Money Laundering Act in accordance with the international standards of the Financial Action Task Force (FATF).

Propose credit card, stock market and investment law initiatives.

Promote financial education programs.

- **Food.** Establish communal markets to encourage local food production and marketing.

Strengthen the Food and Nutritional Security Program through the provision of quality food.

Disseminate information regarding the food in the consumer basket including nutritional data to promote changes in eating habits.

- **Transparency.** Promote access to public information for state officials.

Separate the activities of the Public Prosecutor's Office from those of CICIG, so that Guatemalan institutions can resolve the country's problems independently.

To see the complete government plan [click here](#)

Government Plan



Sandra Torres
Unidad Nacional de Esperanza



- **Food.** Drive debate and backing in Congress for measures to promote family-run farming and consumption of healthy foods.

Combat malnutrition through direct food provision programs, including food for work schemes, and through and agricultural and forestry production plans in rural areas.

Create the "Bolsa Solidaria" program to provide healthy foods in rural and urban areas.

- **Trade and finance.** Promote debate in Congress around the draft competition law and introduce a bill for the defence of consumers, with the aim of regulating the credit card market.
- **Taxes.** Design an "Integral Plan of Electronic Formalization" to develop and phase in electronic invoicing in tax payment.
- **Transparency and anti-corruption.** Eliminate and merge public entities with common objectives.

Position delegations from the Public Prosecutor's Office at all ministries and the public administration secretariat, to help combat corruption.

Put to public consultation the issue of CICIG's continuity in Guatemala.

Introduce a bill to create the National Commission against Corruption, which would be composed of representatives of civil society, academia and the Church, among others.

To see the complete government plan [click here](#)

Latest polls

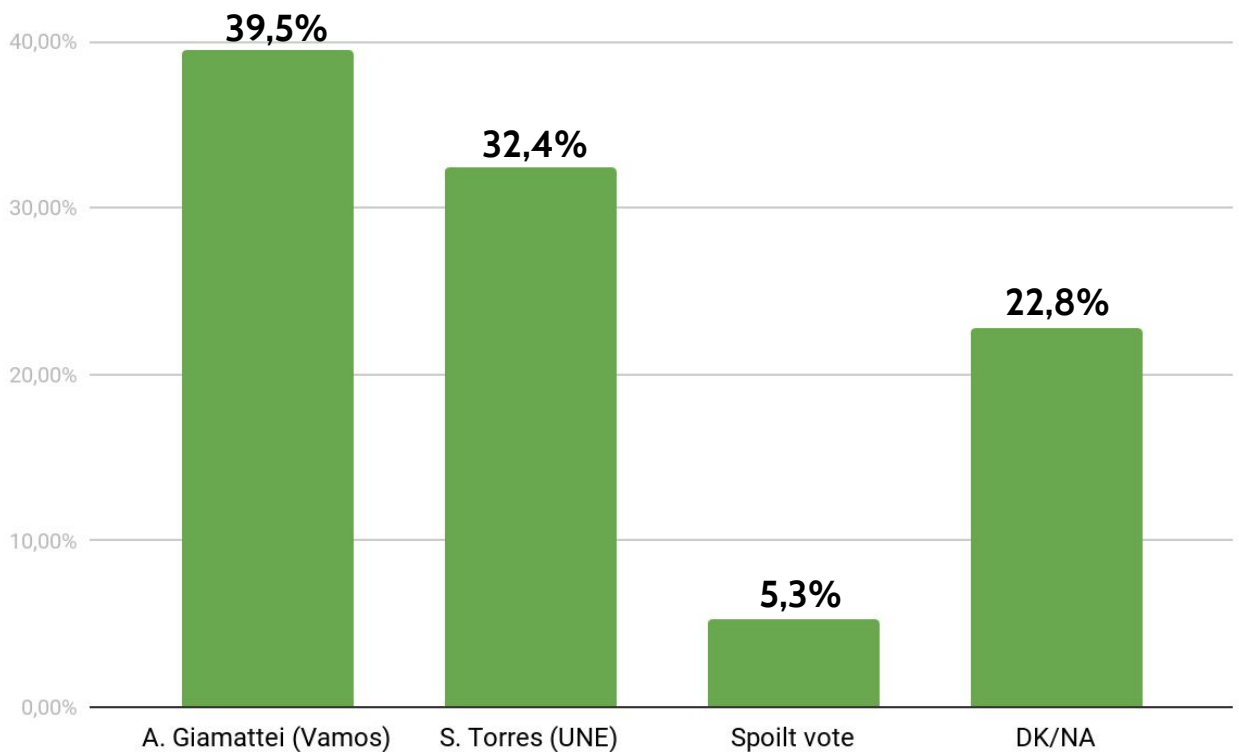


**Alejandro
Giamattei**
Vamos



Sandra Torres
Unidad Nacional de la
Esperanza

Latest polls August 2019*

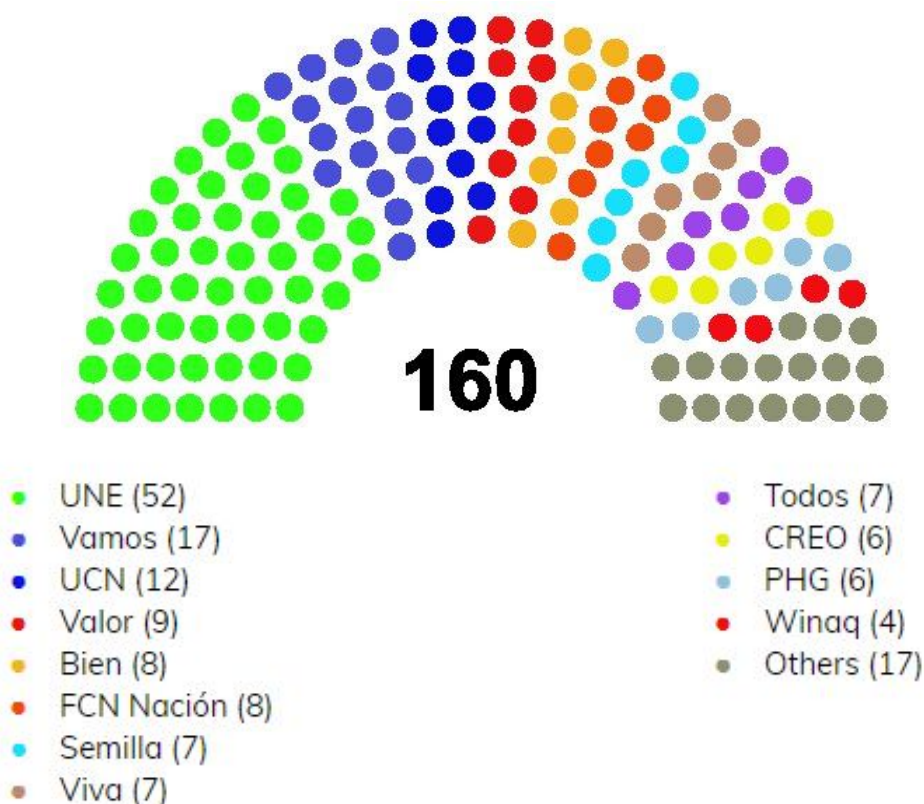


*Source: In-house graphic based on polls by local consultancies between July 29 and August 5, 2019

What will Congress be like under the next president?

No majority. The new president will lack a majority of his/her own in Congress (i.e. 81 lawmakers or more). Alejandro Giammattei's Vamos party is set to enter Congress for the first time since it was created in 2017, with 17 deputies. Sandra Torres's UNE party will have 52 seats. No matter which party wins the Presidency (either UNE or Vamos), they will have to negotiate together and with other political forces in Congress to be able to push through their government agendas. However, the UNE party will enjoy greater leverage than Vamos thanks to its good performance in the legislative elections.

Waning influence of the ruling party. In the legislative elections, the current ruling party Frente de Convergencia Nacional of President Jimmy Morales lost 27 seats. That is to say, in the period 2020-2024 there will be 8 FCN-Nación deputies as opposed to 35.



*Source: Own graphic based on the results of the legislative elections of June 16, 2019 published by the Electoral Tribunal.

Projections

- **Giammattei the potential winner.** Polls are placing center-right candidate Alejandro Giammattei as Guatemala's next president. That would mean Vamos entering Congress for the first time as a ruling party. If Sandra Torres wins, however, it would be UNE's second time in office, its first coming in 2008-2012.
- **Fighting corruption.** The candidates are united in making anti-corruption a cornerstone of their campaigns. Sandra Torres is proposing delegations from the Public Prosecutor's Office be placed in each ministry and state secretariat to monitor and prevent graft, and she wants to present bills to Congress to ensure politicians' declarations of assets and conflicts of interest be published online and are freely accessible. For his part, Giammattei will seek to facilitate access to public information concerning state employees.
- **Progress on the legislative agenda.** Once the elections are over, deputies will have less cause to absent themselves from congressional sessions. So there is reason to expect a loosening up of the legislative agenda as ordinary sessions resume in early August, and hence progress on hitherto languishing bills, such as on the promotion of healthy eating and reforms of the Banking Law.



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