

Guatemala: 2023 Elections and U.S. Interests

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Overview

After a tumultuous preelection period and first-round presidential election, marred by alleged irregularities and the [disqualification](#) of several leading candidates, Guatemala held a runoff election on August 20. Anti-corruption, center-left candidate Bernardo Arévalo captured [58%](#) of the vote, according to Guatemala's Supreme Electoral Tribunal (TSE), defeating centrist candidate Sandra Torres, who won [37.2%](#) of the vote.

Despite this wide margin of victory, President-elect Arévalo faces a turbulent path to office. [Certification delays](#), [raids on the TSE](#), and the spread of propaganda against Arévalo's party, Movieminetto Semilla (Semilla), have affected the transition process. Attorney General Maria Consuelo Porras (who is under [U.S. sanctions](#) for involvement in corruption), the Public Ministry's Office of the Special Prosecutor Against Impunity, and political opponents of Semilla are primarily responsible for these actions. The [State Department](#), [Organization of American States](#) (OAS), and [European Union](#) (EU) have expressed serious concerns over the threats to Guatemala's democratic transition of power.

Newly elected authorities are scheduled to be inaugurated on January 14. However, some [experts](#) fear Guatemala will continue to face a muddled [transition process](#) hindered by those in power who [regard Arévalo](#) as a threat to the status quo. The situation could have implications for U.S. interests in Guatemala and U.S.-Guatemalan cooperation in addressing key challenges such as migration, corruption, and human rights, among other issues of congressional interest.

Political Context

Arévalo's victory was unexpected and appears to reflect voter frustration with Guatemala's political establishment and widespread government [corruption and impunity](#). Arévalo ran on a progressive, anti-graft platform that aims to challenge a Guatemalan political scene that has been dominated by "[right-leaning figures aligned with the economic elite](#)."

Prior to the first-round vote, Arévalo was polling at [2.9%](#). He [surged](#) to a second-place finish after the TSE controversially prevented several leading presidential candidates from participating in the election. Arévalo and his Semilla party, which emerged out of Guatemala's [2015 anti-corruption protests](#), were

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well placed to capture the votes of the outsider candidates who had been disqualified. Arévalo also received strong support from Guatemala's Indigenous population and youth.

After winning the second-round runoff by more than 20 percentage points, Arévalo is facing fraud allegations from the attorney general's office, which has engaged in repeated raids of the TSE, searching for proof the election results were flawed. The Citizen's Registry of the TSE had [suspended](#) Semilla as a political party, complying with a [warrant](#); the Plenary of the TSE [overturned](#) this decision until the end of the electoral period, October 31. The Board of Directors of the current Guatemalan Congress had [declared](#) lawmakers from the Semilla party as independents—meaning current Semilla leaders could not hold leadership positions or lead legislative committees, among other roles; Semilla lawmakers were [reinstated](#) due to the TSE's ruling. It is [unclear](#) whether incoming Semilla lawmakers, who captured 23 of 160 seats in congress, will face similar impediments.

An OAS electoral observation mission has [denounced](#) these actions as “political persecution reminiscent of those carried out by authoritarian regimes” and a “shameful example for the hemisphere.” In the [view](#) of former U.S. Ambassador to Guatemala Stephen McFarland, efforts to obstruct Arévalo and Semilla legislators from taking office are orchestrated by a “‘pact of the corrupt’—a loose confederation of political leaders, economic elites, judicial operators and organized crime figures who cooperate for spoils and immunity from investigation.” Should he take office, Arévalo is likely to face continued resistance from such individuals throughout his term.

Over the last month, thousands of [protesters](#), a majority Indigenous, have taken to the streets of Guatemala in support of the election results and called for the removal of Attorney General Porras. In turn, Porras [called](#) on Guatemalan authorities to “forcibly” act against the “illegal” protests. President Alejandro Giammattei has [condemned](#) these protests and [deployed](#) Guatemala's riot police to clear them.

The State Department welcomed the election results but remains “[gravely concerned](#)” by the raids on the TSE, attempts to prosecute TSE electoral officials, and, more broadly, attempts to undermine Guatemala's democracy. The [Inter-American Commission on Human Rights](#) and the EU have expressed similar sentiments. The [OAS Secretary General](#) has named mediators who have begun fostering dialogue in Guatemala intended to achieve consensus between leaders of the protests and Guatemalan officials; the United States supports their ongoing work.

Issues for Congress

Some Members of Congress are closely following the postelection transition process in Guatemala and examining the potential implications of the election for U.S. policy. Arévalo seeks to increase cooperation with the United States. He has [stated](#) that “the first thing that will happen [when he assumes office] is that actually the United States will find a partner that is rooting out corruption and will have all intention of actually working toward development.” Guatemalan migration to the United States is a priority, and fighting corruption, reestablishing [democratic institutions](#), and providing resources to Guatemala's approximately 19 million people (an estimated [55.2%](#) of whom face high levels of poverty) are key policies to address the drivers of emigration. Emigration rates are likely to rise if electoral turmoil intensifies, however.

Congress could consider a range of responses to address the rapidly developing electoral situation in Guatemala. Congress could consider reorienting foreign assistance to Guatemala to support priorities the United States shares with Arévalo, including with regard to migration, corruption, development, and democracy. The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (P.L. 117-328, Division K), requires the State Department to withhold 60% of Economic Support Fund and security assistance for the Guatemalan government until the Secretary of State certifies that the

Guatemalan government has met a series of conditions, including making efforts to strengthen the independence of electoral institutions and protecting the rights of opposition political parties.

Congress also may consider policies to enhance pressure on those hampering democratic processes in Guatemala and stem the erosion of the rule of law, such as reauthorizing or modifying [the sanctions authority](#) in the United States-Northern Triangle Enhanced Engagement Act (P.L. 116-260, Division FF, Subtitle F), which is scheduled to expire in December 2023.

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