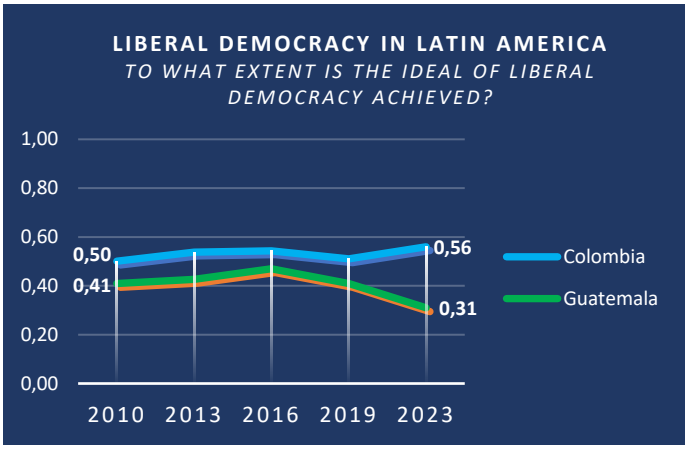
Country Brief Guatemala

Electoral democracy

COUNTRY INDICATORS

Population: 17.110 million (WB)
Urban population: 52% (WB)
Urban population growth (annual): 2.3% (WB)
Access to water: 94% (WHO-UNICEF)
Access to electricity: 97.1% (WB)
Mortality rate, under-5 (per 1,000 births): 24 (WB)
GDP (current US$): 85.986 billion (WB)
GDP per capita, PPP (current Int$): 9,769 (WB)
Presence of Violence: none (UCDP)
Global Freedom Status: Partly free, score 51 (FH)
Corruption Perception Index: score 25, rank 150/180 (TI)
Human Development Index: Medium (0.627), rank 135/191 (UNDP)
Local Government Association: Asociación Guatemalteca de Alcaldes y Autoridades Indígenas (AGAAI); Asociación Nacional de Municipalidades de la República de Guatemala (ANAM)

Figure 1



Source: V-Dem Institute (2024)

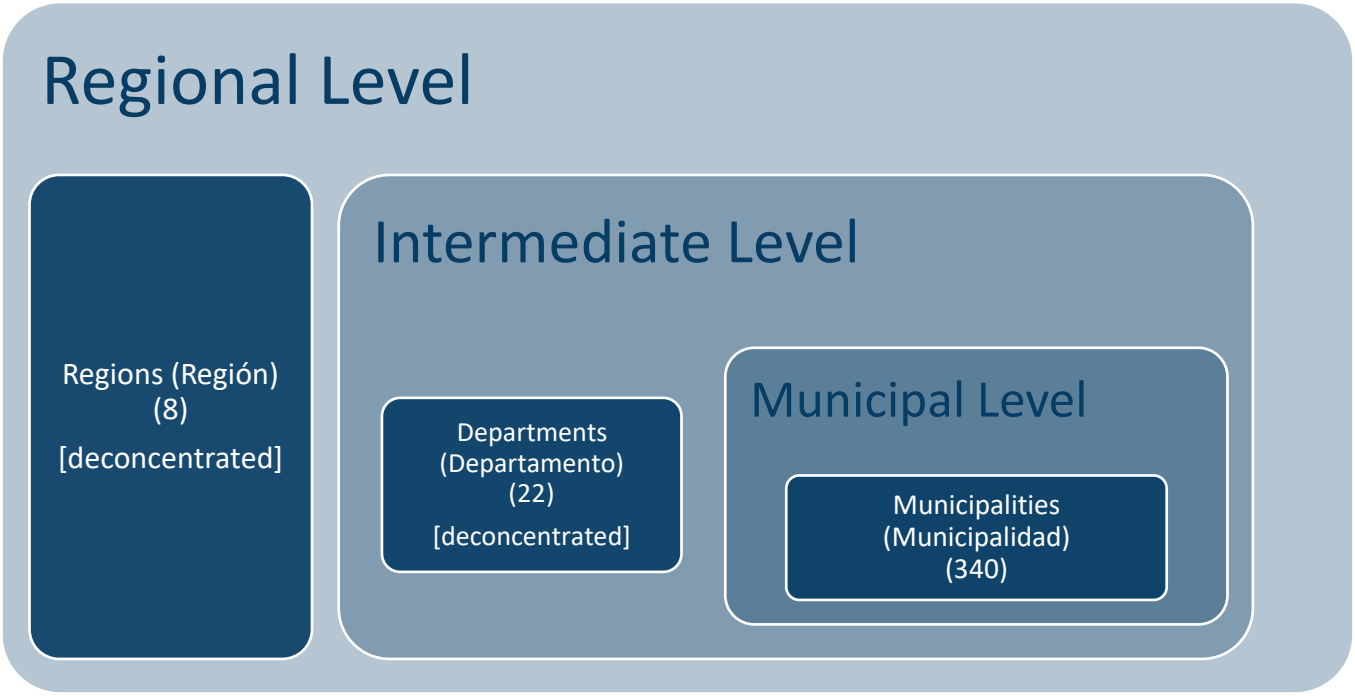
***Clarification**: The liberal principle of democracy emphasizes the importance of protecting individual and minority rights against the tyranny of the state and the tyranny of the majority. The liberal model takes a 'negative' view of political power insofar as it judges the quality of democracy by the limits placed on government. This is achieved by constitutionally protected civil liberties, strong rule of law, an independent judiciary, and effective checks and balances that, together, limit the exercise of executive power. To make this a measure of liberal democracy, the index also takes the level of electoral democracy into account.*

Decentralisation

The Republic of Guatemala is a unitary country with a presidential system and a classic model of division of powers. Members of Parliament (single chamber) and the Executive are elected by universal suffrage, for periods of 4 years. Members of Parliament may be re-elected, unlike the Executive. In 1996, Guatemala signed a National Peace Agreement that put an end to a 36 year-long internal armed conflict. One of the main objectives was the recognition of the indigenous people's rights, which represent about 45 % of the population (SNG-WOFI, 2019).

The 1985 Constitution states that the territory is divided into departments and municipalities (Art. 224). However, municipalities constitute the only level of sub-national government. The Decentralization Act recognizes Guatemala's multi-ethnic, multicultural, and multilingual structure. The Municipal Code recognizes the specific organizational arrangements and powers of indigenous communities, as well as the need to consult them on matters that are of interest to them (SNG-WOFI, 2019).

Figure 2



Source: SNG-WOFI Guatemala (2019)

Municipalities
Local governments have the capacity to elect their own authorities (councillors and mayors) and to regulate and mobilize their own resources for service delivery and planning (SNG-WOFI, 2019).

Regions
There are 8 regions and 22 departments, which are deconcentrated level of national government. Both regions and departments have regional and departmental councils chaired respectively by a president and a governor, appointed by the central government (SNG-WOFI, 2019).

Local Autonomy

Mandates
According to the Municipal Code, municipalities are responsible for promoting economic, social, cultural, environmental activities to ensure the quality of life of their communities (Art. 67). Their competences include own and delegated responsibilities. Own competences are the same for all municipalities and are mandatory: they include water supply, sewerage, street lighting, public markets, cemeteries, public spaces, road maintenance, building permits, public transport, waste collection, and environmental and natural resources management. Delegated competences are competences devolved by the central government through agreements (which must be accepted by the municipality), within the framework of Decentralization Act. When a function is delegated to a local authority, the central government must provide financial resources to cover for its cost. Delegated competences vary from one municipality to another, and they may include pre and primary education or healthcare among other services. Municipalities can provide these services directly or through inter-municipal agreements or partnerships with the private sector (SNG-WOFI, 2019).

Table 1

Main Sectors	Local Government Responsibilities
1.General public services	Internal administration; Civil registration; Building permissions; Cemeteries
2.Public order and safety	Municipal police; Designation of judicial and extrajudicial agents
3.Economic affairs/transports	Local roads (maintenance and construction); Regulation of the transport of passengers and cargo and central stations
4.Environmental protection	Treatment and disposal of solid waste and sewerage; Street cleaning; Management of parks, gardens and public spaces; Management of the local environment and natural resources
5.Housing and community amenities	Construction and renovation of housing; Supply of drinking water and street lightning; Urban planning and urban development
6.Health	Sanitary control standards in markets and food and beverage activities; Regulate and control public markets and slaughterhouses; Management and administration of popular municipal pharmacies
7.Recreation, culture & religion	Management of municipal libraries
8.Education	Management of pre- and primary schools, as well as literacy and bilingual education programs (delegated)
9.Social protection	Popular municipal pharmacies

Source: SNG-WOFI Guatemala (2019)

Local Government Finances

Guatemalan municipalities are responsible for the levying and collection of taxes entrusted to them by the central government. If local authorities are unable to collect taxes, they can ask the national government to carry out the task on their behalf. The main sources of local governments' own revenue are taxes whose collection, administration and use have been transferred to them by the national government, including the Single Property Tax (Impuesto Único Sobre Inmuebles- IUSI), a tax for the maintenance of public spaces called "ornamental ticket" (boleto de ornato), and various indirect taxes on activities or others. 36 % of municipalities' own revenue is derived from local taxes. Most of the tax revenue is generated by the IUSI, which accounts for 71% of local tax revenue and 7.9% of the total revenue of municipalities but only 0.2%of GDP. The remainder, namely sales taxes and ornamental tickets, represent about 10% of the municipalities' own revenues. However, there is a territorial disparity in tax power. The main urban areas collect per capita incomes more than four times higher than those of medium-sized municipalities and more than five times higher than those of small municipalities (SNG-WOFI, 2019).

Budgets

Local government expenditure in Guatemala accounts for around 16 % of total public expenditure, one of the highest proportions in Central America. Two third of local expenditure is devoted to current expenditure, the rest to investments. The analysis of expenditure by region shows significant imbalances. For example, in 2015, about a quarter of local spending was concentrated in the metropolitan region, which is home to 22% of the population and less than one in 10 extremely poor people, while the Southwest region, which is home to 27% of the population and 30% of the country's poor, accounted for only 5.7% of public spending (SNG-WOFI, 2019).

Local government expenditure is concentrated in four sectors: public administration (civil registration), economic affairs (roads), environmental protection (waste management and sewerage) and cultural and recreation activities and infrastructures. The remaining local expenditure is devoted to water management and community development (housing and com-munity amenities). Three of these sectors concentrate almost 60% of local expenditure (administrative functions, roads and transport, water management and community

development). The role of local governments is very limited in the provision of education, health and social protection services (SNG-WOFI, 2019).

Local Democracy

State of Elections

The municipal government shall be administered by a council, which is comprised of the mayor, the representatives (*síndicos*), and the councilmen (*concejales*), elected directly by universal and secret suffrage for a period of four years, who may be reelected (PCRG, Art. 254).

But many municipal councils do not foster a democratic process because members, particularly those in opposition parties, feel limited in their ability to influence decisions in an environment dominated by the mayor and their political party (USAID, 2017). In the 2019 elections, 130 of the 340 mayors sought reelection; 42 of them were reelected (OAS, 2019). It is worth mentioning that the party Unidad Nacional de la Esperanza (UNE) obtained 31.76% of municipalities, while 31 civic committees[1] achieved a municipal corporation. The rest was distributed among 22 other political parties (Dabroy, 2019).

Although incidents of electoral violence in municipalities are frequent, there is little official or systematized information that allows an analysis of their causes and magnitude (Gámez, 2020). However, some causes may be the mayor seeking reelection, drug trafficking, and others. Likewise, the violence could not be a disorganized act due to civil unrest or the lack of legitimacy in the institutions, but a planned attack aimed at promoting or supporting candidates.

Elections in 2023

General Elections were held in Guatemala in June 2023 to elect the president, vice president, the seats in congress, as well as mayors and councils for the 340 municipalities. Since no presidential candidate obtained more than 50% of the votes in the first round, a second round was held in August between the top two candidates Bernardo Arévalo and Sandra Torres. Arevaló, representing the party Semilla, won the presidential election with 58% of the votes. The ruling party Vamos won the largest number of seats in the Congress.

Arévalo campaigned for bringing structural change to Guatemala and to combat corruption, safeguard democratic security, and ensure the equal application of the law across the country (WOLA, 2024). Arévalo was seen as a political outsider, and after his win in the second round, he and his Movimiento Semilla party faced political and judicial persecution aimed at undermining their electoral victory and obstructing a transition of power (Freedom House, 2024). This triggered massive peaceful mobilizations in the whole country, mainly led by indigenous peoples, and with strong condemnation from the international community.

"Despite the attempts to prevent Arévalo from taking office, the democratic and orderly transfer of power prevailed in Guatemala. Just past midnight on Monday, January 15, after a nearly 10-hour delay and several last-minute attempts by the outgoing Congress to obstruct the constitutionally mandated transfer of power, Bernardo Arévalo was finally sworn in as president of Guatemala." (Freedom House, 2024).

[1] Civic committees are political organizations of a temporary nature, representing social sectors and currents of opinion and political thought that nominate candidates for popularly elected positions, to integrate municipal corporations.

Electoral Outcomes

Table 2

Elections	2019	2023
Voter turnout	57%	-
Female Councillors	11% (2015)	-
Female Mayors	3.2 % (11 out of 340)	3,5% (12 out of 340)
MPs (*Congreso*)	13%	20% (32 out of 160)

Source: UN Women and local sources

Citizen Participation

The Municipal Code promotes citizen participation through the establishment of a Municipal Citizens' Social Audit Commission, where public meetings are convened to provide a space for citizens to voice their opinions and concerns. Other participants include indigenous mayors and community representatives. Yet very few of these are functioning (USAID, 2017).

Women's representation

Women remain severely underrepresented in the political arena. In the 2023 election, only 12 women in 340 municipalities (3,5%) were elected as mayors (see Table 2). While this represent a tiny increase in the proportion of women mayors, there was a significant increase in the number of female mayoral candidates, from 144 in 2019 to 257 in 2023.

Climate action

Guatemala is one of the most vulnerable countries to the effects of climate change. In 2006 the regulation[2] was issued that obliges the municipalities to install wastewater treatment plants, however, 14 years later the municipalities still do not have them and request extensions for their installation. On the other hand, municipalities such as Jalapa[3], with the help of international cooperation, have implemented projects focused on the care of forests; likewise, other projects have focused on supporting environmental projects in municipalities of Petén and western Guatemala.

In recent years, mining projects have increased in Guatemala, which has meant the income of resources for the municipalities; however, the installation of these projects in the communities has generated conflict and triggered violence in many cases (USAID, 2017).

[2] http://www.infom.gob.gt/archivos/Docs-Pdf/Anexo-Legal/ANEXO_1_Reglamento-descargas-de-aguas-residuales-AG236-2006.pdf

[3] https://www.gt.undp.org/content/guatemala/es/home/presscenter/articles/2018/11/20/trabajo-conjunto-entre-gobierno-central--municipalidades-y-comun.html

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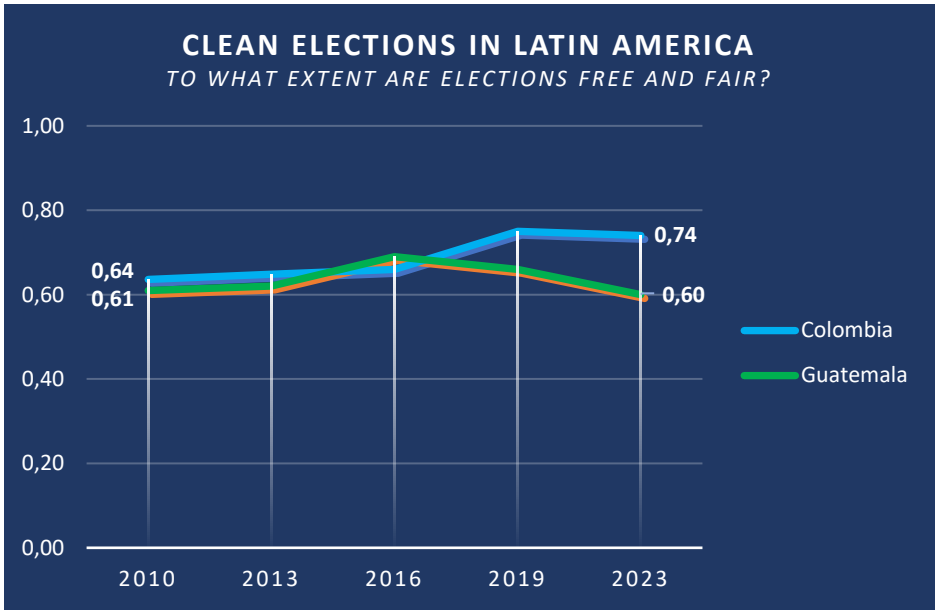
About ICLD

The Swedish International Centre for Local Democracy (ICLD) is part of the Swedish development cooperation. The mandate of the organisation is to contribute to poverty alleviation by strengthening local governments. This Country Brief is part of a publication series that investigates the state of decentralisation and local democracy in countries where ICLD programmes operate.

This Country Brief covers events up to May 2024.

Appendix 1: Clean Elections Index

Research Question: To what extent are elections free and fair? (Low to High; 0-1)
Clarification: Free and fair connotes an absence of registration fraud, systematic irregularities, government intimidation of the opposition, vote buying, and election violence.



Source: V-Dem Institute (2024)