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Elections in Guatemala

2018 National Referendum

Frequently Asked Questions

Americas

International Foundation for Electoral Systems

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April 9, 2018

Frequently Asked Questions

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Disclosure:
These FAQs reflect decisions made by the Supreme Electoral Tribunal (TSE) of Guatemala as of April 9, 2018, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is the referendum, and what is it about?

On April 15, a national referendum will be held, asking Guatemalan citizens if they agree with taking a territorial dispute with Belize to the International Court of Justice at The Hague. The voters will choose between “Yes” and “No” options on the ballot.

What is the significance of having a referendum on the border dispute with Belize? Why is the referendum necessary?

The long-standing dispute over territories – a legacy from the Spanish and British colonial times – has caused hostilities between Belize and Guatemala, and the referendum is the latest effort to reach a settlement. The dispute has hindered social and economic development in the contested areas. The two countries made several attempts to resolve the issue in the past but failed to find a lasting solution that is satisfactory to both parties and agreed that taking the case to International Court of Justice is the best way to attain a final resolution.

What is the legal basis of this referendum?

The legal framework for the referendum is the [Special Accord](#) signed by Guatemala and Belize on December 8, 2008, in which both governments committed to hold a referendum in their respective countries. The accord was [ratified by the Guatemalan Congress](#) on September 9, 2010, with Decree No. 31-2010.¹ On August 2, 2017, the Congress of Guatemala issued [Accord No. 22-2017](#),² instructing the Supreme Electoral Tribunal to hold the referendum.

How much public interest is there on this issue?

The public does not have a strong interest in the referendum. Most Guatemalans think that the Belize border issue is already settled, since Guatemala recognized Belize’s sovereignty in 1991. Though the government may be seeking to win the case and gain territory, the public sees this referendum as something distant from their day-to-day life and therefore shows certain apathy toward the process.

Who can vote in the referendum?

All Guatemalan citizens over the age of 18 who are registered as voters can vote.

How many registered voters are there? When did the registration take place?

On March 19, the Supreme Electoral Tribunal announced that 7,522,920 citizens are eligible to participate in the referendum. The registration period for the referendum closed on January 14, 2018.

¹ A copy of the original publication can be viewed here: <https://www.congreso.gob.gt/consulta-legislativa/decreto-detalle/?id=13205>.

² A copy of the original publication can be viewed here: <https://www.congreso.gob.gt/acuerdo-detalle/?id=17855>.

How do citizens cast their votes?

Citizens will vote using paper ballots. No special voting technology will be used. Each person will cast a vote individually at their assigned polling station.

What provisions are in place to promote the equal participation of women?

There are no special provisions for the upcoming referendum. However, the Supreme Electoral Tribunal (TSE) actively encourages women to participate in elections and has been doing it for many years. The TSE regularly implements voter education campaigns to encourage participation of women, especially young and indigenous women.

What provisions are in place to ensure that citizens in remote places can vote in the referendum?

The Supreme Electoral Tribunal (TSE) is mandated to draw electoral constituencies at the municipal level around population centers, and those constituencies are numerous. The municipal electoral constituencies determine polling center locations based on registered voters' residences to minimize distances that voters need to travel. The TSE is required by law to install polling stations even in places where the population is below 500. In addition, the TSE arranges free public transportation to further facilitate the mobilization of voters.

How will voters with disabilities cast their ballots? Do the electoral authorities guarantee equal access to voting places?

The Supreme Electoral Tribunal (TSE) closely coordinates with the National Council for People with Disabilities ([CONADI](#)) to promote the participation of voters with disabilities. In the referendum, braille ballots and information sheets will be available for voters who are blind or have low vision. In collaboration with CONADI, the TSE trains poll workers on how to assist voters with disabilities. Sign language interpretation is included in all public service announcements regarding the referendum and in voter education materials explaining when, where, and how to vote. Voting booths consist of two areas, and the lower area is designed for little persons and wheelchairs users. Polling center accessibility is not uniform. They are typically at public schools, and the Ministry of Education is responsible for the facilities. The TSE's control over the facilities is restricted. Limited funding is also a factor. It has not been possible yet to ensure polling center accessibility to all 7.5 million voters nationwide. However, the TSE has made targeted efforts in areas where voters with disabilities are concentrated.

What provisions are in place to assist illiterate voters?

For this referendum, the ballots will not include a special section for illiterate voters. During previous elections and referendums, however, the ballots had a section with symbols or pictures for illiterate voters.

Can Guatemalans who live outside the country vote in the referendum?

No, Guatemalans living abroad cannot vote in the referendum. Out-of-country voting has not yet been fully implemented in Guatemala, although it was approved in the electoral law reform in 2016.

How does the Supreme Electoral Tribunal use social media to connect with voters?

The Supreme Electoral Tribunal (TSE) uses [Facebook](#), [Twitter](#), and [Instagram](#). It has been slowly increasing the use of social media, and Instagram is the most recent addition. The TSE has about 140,000 followers on Facebook. Public service announcement videos are uploaded there, and the TSE frequently encourages followers to visit its 2018 referendum website for updates. In late 2017 and early 2018, IFES supported a social media campaign, particularly on Twitter, targeting young, newly eligible voters, encouraging them to register and be able to vote in the referendum.

Who may observe during the referendum? How are they selected?

Any domestic and international organizations that wish to observe can do so, provided they meet basic requirements and submit a formal letter of interest to the Supreme Electoral Tribunal (TSE). The requirements are usually very simple and not restrictive. For the upcoming referendum, the TSE expects around 2,500 domestic observers from universities, think tanks, civil society organizations, and chambers of commerce. As of the date of this publication, international organizations – such as the Organization for American States, the United Nations, or European Union – have not announced their intention to send observation missions. Foreign diplomats and members of international organizations stationed in Guatemala may observe the referendum, but such teams are likely to be small scale.

How are the votes counted and tabulated? Who performs the counting and tabulation?

Poll workers count the votes manually in each polling center on the same day, soon after the polls close. Poll workers comprise the vote reception boards (*juntas receptoras de votos*) and are volunteers trained by the Supreme Electoral Tribunal (TSE) to perform tasks specific to Election Day. When a polling center reaches its final tally, the tally sheet is signed by all poll workers and representatives of political parties present in the polling centers. The final tally sheet is transmitted to the National Tabulation Center at the TSE in Guatemala City, using a special scanner system developed for this purpose. The scanned tally sheets are uploaded in real time to the TSE's website. Citizens and observers can watch numbers come in from polling stations across the country and witness that the tally sheets were not tampered with.

When will official results be announced?

Preliminary results will be announced on the same day, and official results will be announced on the day after the referendum. Since there is only one item on the ballot – a single yes or no question – the tabulation will be easier, and the official results announcement will be much faster than in normal Guatemalan elections.

What do current polls suggest about the result?

No public poll results exist or have been published to date. The rationale is likely to be that there is no political competition involved in this referendum. However, student bodies at local universities have been asking students if they will participate in the referendum, and their findings show that the younger generation is increasingly inclined toward the “Yes” vote.

What effect will the referendum’s result have in real life? What is the expectation?

The Guatemalan referendum’s outcome will determine if Belize will also hold its referendum by late 2018, as stipulated in the 2008 Special Accord signed by the two countries. Once both referendums are held, and if both results are in favor of taking the dispute to the International Court of Justice, the referendums will have served their purpose.

Resources

- [Ministry of Foreign Affairs](#)
- Ministry of Foreign Affairs: [2018 National Referendum](#)
- [Supreme Electoral Tribunal](#)
- Supreme Electoral Tribunal: [2018 National Referendum](#)
- U.S. Agency for International Development: [Guatemala Overview](#)
- United Nations Development Programme: [Guatemala Overview](#)