Guatemala, November 2026: a change that arrived on the date the constitution set

Three years after the 2023 election, what has been repaired in the prosecution service, the electoral authority and the courts, by what legal means, and what still stands in the way?

Guatemala · As of 16 November 2026 · An independent project by Nevo Goor

Correction, 19 November 2026. An earlier version gave Bernardo Arévalo 58.01 percent of valid votes in the 2023 runoff, against 37.24 percent for Sandra Torres; those preliminary figures were shares of all ballots cast, including null and blank votes. The official result declared by the electoral tribunal is 60.91 percent of valid votes for Arévalo, against 39.09 percent for Torres. Two other details were corrected: sources published by state-funded or state-run outlets (Voice of America, Prensa Latina and the Guatemalan state news agency AGN) were replaced with independent sources, and the date of the 2027 general election, for which only one independent source was found, is now attributed to Emisoras Unidas.

The change at the head of the prosecution service came when the four-year term of the attorney general ended. A statute allowed her to be removed only after a final criminal conviction, and the bill the government sent to Congress in 2024 to change that did not remove her: she served until her constitutional term ended on 17 May 2026, and a successor was chosen from a list drawn up by a nominating commission. The term is set in the constitution; the protection from removal is set in a statute, which a later Congress could amend in either direction. The measures taken inside the prosecution service since May 2026 are internal decisions that a later attorney general could reverse. The party of the president was cancelled in March 2026, and the main democracy measures disagree about how far Guatemala has recovered.

SECTION 1

What changed in 2023

This is the second report in the Recovery Watch series of the Atlas, after Poland.

In the presidential runoff of 20 August 2023, Bernardo Arévalo of the Semilla movement won 60.91 percent of valid votes in the official result declared by the electoral tribunal, 2,442,718 votes, against 39.09 percent for Sandra Torres. Preliminary turnout was 45.1 percent. Semilla held 23 seats in Congress.

Between the vote and the inauguration, the Public Ministry acted against the result. Prosecutors raided the offices of the electoral tribunal on 13 and 20 July 2023 and the headquarters of Semilla on 21 July, and a judge ordered the suspension of the legal status of Semilla at the request of a prosecutor. The observation missions of the European Union and the Organization of American States condemned the raids. On 30 November 2023 Congress lifted the immunity of four electoral magistrates, by 108 votes to 26.

Arévalo was sworn in during the early hours of 15 January 2024, a day after the date set by the constitution, after a dispute in Congress over recognising the Semilla deputies as a bloc and electing the board of Congress.

SECTION 2

The repair ledger

Each row records what was done, the legal means used, and where it stands. The legal means matter because they decide how easily a change can be undone.

AREA	WHAT WAS DONE	LEGAL MEANS	WHERE IT STANDS
Public Ministry (attorney general)	Article 251 of the constitution sets a four-year term and lets the president remove the attorney general for a duly established justified cause. The Organic Law of the Public Ministry, as amended, allowed removal of the attorney general, Consuelo Porras, only after a final criminal conviction; according to AFP, Congress took the earlier presidential power of removal away in 2018. In May 2024 the president delivered to Congress a bill to change that law. Porras called the efforts to remove her "spurious, malicious and anti-democratic", according to Emisoras Unidas. She served until her term ended on 17 May 2026, and the president chose Gabriel Estuardo García Luna from a list of six candidates drawn up by a nominating commission.	Constitutional fixed term and nominating commission; removal limited by ordinary statute.	The new attorney general announced the closure of the special prosecutor office against impunity (FECI), and its head, Rafael Curruchiche, was dismissed by an internal decision of the Public Ministry (Acuerdo 771-2026, reported by Emisoras Unidas). Those steps are internal decisions, not statutes. An Impunity Watch researcher described García Luna as a "passive" figure with a reputation for leniency, according to InSight Crime.

AREA	WHAT WAS DONE	LEGAL MEANS	WHERE IT STANDS
Electoral authority (TSE)	On 10 March 2026 Congress elected five magistrates and five alternates for 2026 to 2032 from a list of 20 drawn up by a nominating commission.	Election by Congress from a nominating commission list.	In office. Before the vote, the United States chargé d'affaires, John Barrett, wrote on X that university authorities had "opened the doors to criminal organisations and drug traffickers" with their picks for the tribunal, according to Emisoras Unidas, and the business association CACIF asked Congress

AREA	WHAT WAS DONE	LEGAL MEANS	WHERE IT STANDS
			for a rigorous screening of the list. La Hora reported that one alternate elected, a former head of the prison system, is under United States sanctions.
Constitutional Court	A new court took office on 14 April 2026 for 2026 to 2031, with magistrates chosen by the president in the council of ministers, Congress, the Supreme Court, the bar association and the council of the San Carlos university.	Selection by five constitutional bodies.	In office. The designation of one magistrate was challenged over alleged false documents, according to La Hora. A report cited by JusticeInfo called the selection process "untransparent" and driven by "political interests".
Governing party	The Constitutional Court confirmed on 26 March 2026 the definitive cancellation of the Semilla movement, rejecting its last two legal actions unanimously. The cancellation rested on an order of a criminal court, issued at the request of prosecutors, according to Emisoras Unidas.	Criminal court order, confirmed by the Constitutional Court.	Semilla cannot run under its own registration; as of 1 May 2026 a group of its deputies had taken a further challenge to the Supreme Court, according to Infobae. According to the same source, 14 of its 23 deputies founded a new party, Raíces, and the governing side has no majority of its own in Congress.
Press	The 2023 money-laundering conviction of the journalist José Rubén Zamora was annulled again in July 2026, and a new trial was ordered, according to Infobae and La Hora.	Court rulings.	Unresolved. In August 2026 a further appeal against the retrial, filed by a co-defendant, reached the criminal chamber of the Supreme Court, according to La Hora.
International	The European Union created a sanctions framework on 12 January 2024 and added five people to its list on 2 February 2024, including Porras and Curruchiche. The United States announced visa restrictions on nearly 300 Guatemalans, including over 100 members of Congress, on 11 December 2023.	EU Council decisions; United States visa measures.	The EU measures were renewed until 13 January 2027.

SECTION 3

What the measures show

MEASURE	AROUND 2023	LATEST	COGA FLOOR
Freedom House, total score (0 to 100)	49 (2023 edition)	48 (2026 edition)	Below 70 breaches a COGA floor. Breached.
RSF World Press Freedom Index	127th, score 48.12 (2023)	128th of 180, score 43.21 (2026)	Below 50 breaches a floor. Breached.
Transparency International, Corruption Perceptions Index	23 (2023)	26 (2025 index)	Below 40 breaches a floor. Breached.
V-Dem Liberal Democracy Index (dataset version 16)	0.314 (2022)	0.523 (2025)	No COGA floor on this index.

The COGA floors in the last column are internal conventions of the Atlas. They are not validated measures and not a forecast. A country can cross them while recovering.

The measures disagree. V-Dem records a large recovery: its Democracy Report 2026 names Guatemala as one of three new democratizers for 2025, all of them reversing a recent decline, with the reversal starting in 2023. Freedom House is one point lower than in its 2023 edition, and the RSF press freedom score is lower than in 2023. Both V-Dem values come from the same edition of the dataset, so they can be compared with each other. The indices measure different things over different periods, and this article does not settle the difference.

SECTION 4

Why the repair sits where it does

The government held no majority of its own in Congress, and the law in force allowed the attorney general to be removed only after a final criminal conviction. The bill to change that law did not remove her. The decisive change therefore came on the date the constitution had already fixed: the end of the four-year term of the attorney general.

The new attorney general serves a four-year term to 2030, beyond the general election scheduled for 27 June 2027 in the preliminary calendar of the electoral tribunal, according to Emisoras Unidas, and beyond the end of the current four-year presidential term in January 2028. The limit on removing the new attorney general sits in a statute, not in the constitution. A later Congress could keep it, which would protect the new attorney general as it protected the old one, or change it.

SECTION 5

How this is read

COGA distinguishes changes made by ordinary law, which the next ordinary majority can undo, from changes written into a constitution, which are harder to undo. That distinction was applied to countries in decline, to describe whether a takeover of institutions could later be reversed. Here it is applied in the other direction, to a repair.

Here "repair" means the reversal of specific measures that the election observation missions, the sanctions decisions and the indices cited describe as undermining democracy in 2023 and 2024; it is not a judgment on every official involved, and the former attorney general rejected the efforts to remove her.

By that reading, the change in Guatemala sits on mixed footing. The four-year term and the nominating commission are constitutional. The protection from removal is a statute, which a later Congress could amend. The steps taken inside the Public Ministry since May 2026 sit on the weaker footing of internal decisions. The appointments of 2026 to the electoral tribunal and the Constitutional Court were made through constitutional procedures, and they have drawn the specific criticisms set out in the ledger.

This is a description of legal footing, not a forecast. The distinction has not been tested on recovering countries, and nothing here predicts what the 2027 election or a future attorney general will bring.

SECTION 6

Method and limits

Facts stated without attribution were checked against at least two independent publishers. Where only one publisher was found, the source is named in the sentence. Index values come from the publisher of each index, and editions are named. Several Guatemalan outlets relay the same official statement; where that happens, they are not counted as independent of the official source. Quotations from Spanish-language sources are translated in this article. The analysis is the work of a single analyst; the draft was checked against its sources by an independent reviewer before release.

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