



## Doing Business in Guatemala: 2010 Country

### Commercial Guide for U.S. Companies

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## Chapter 1: Doing Business In Guatemala

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### Market Overview

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Guatemala is the northernmost country in Central America with Mexico to the north and west, Belize and the Atlantic Ocean to the east, Honduras and El Salvador to the southeast and the Pacific Ocean to the south. Famed for its volcanoes, textiles, Mayan ruins, and temperate climate in the highlands, Guatemala is at the center of a large regional market for U.S. goods and services.

Guatemala is an excellent market for U.S. products. Guatemalan GDP reached an estimated USD 37.2 billion in 2009 and exports from the United States to Guatemala in 2008 exceeded USD 4.7 billion. Given the global economic difficulties during 2009, U.S. exports to Guatemala slowed to an estimated USD 3.9 billion last year; however, export growth should resume in 2010 and beyond. U.S. products and services enjoy high name recognition in Guatemala, and U.S. firms have a good reputation in the Guatemalan marketplace. As a result, more than one third of all Guatemalan imports come from the United States. Guatemala can also be an attractive place for foreign investment, despite some persistent challenges. With a population of around 14 million, it is the largest country in Central America and accounts for more than one-third of the region's GDP. The capital, Guatemala City, has a population of almost 3 million and features first-class hotels and restaurants. La Aurora International Airport, which serves Guatemala City, has recently been renovated and is located just minutes from the major business and financial areas.

### Market Challenges

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Alvaro Colom of the National Unity for Hope (UNE) party won the November 4, 2007 presidential elections and took office January 14, 2008. Improving family income, public health, and education are the top priorities for the government as well as expanding rural development. The government seeks to increase exports and attract investment, particularly in tourism and manufacturing. The government submitted a fiscal proposal to Congress in November 2009, which included increases to the income tax and the solidarity tax (alternative minimum tax) and created a new tax on cell phone calls. It has not been approved by Congress. The government started a dialogue with the private sector and political parties to discuss fiscal issues on January 21, 2009. It is unclear as of January 2010 whether Congress will approve any fiscal reform proposal.

Colom's administration maintains good relations with the United States while diversifying exports to Asia and Europe and the rest of Central America. The United States and Guatemala are both committed to strengthening democratic institutions, promoting trade, and improving the rule of law.

Violent crime and weak judicial institutions remain serious challenges. Corruption, impunity, worker rights, protection of intellectual property, food security, education and deep socio-economic divisions continue to be other key challenges for the government. On January 11, 2008, Guatemala and the United Nations established the joint International Commission Against Impunity in Guatemala (CICIG). CICIG is charged with helping Guatemala to investigate and prosecute organized crime.

Most hurdles to exporting to and investing in Guatemala are bureaucratic in nature. The government is aware of these problems and works to overcome them. There are no exchange rate controls. As a result of lower flows of remittances, exports and tourism, the local currency, the quetzal, depreciated by 7.5 percent between January 2009 and January 20, 2010 from 7.78 quetzals to 8.36 quetzals to the U.S. dollar. Given the slow economic recovery estimated for 2010, the quetzal is not expected at this time to depreciate significantly in the near future. Currency is bought and sold freely in national markets. There are no restrictions on repatriation of profits by foreign businesses.

## **Market Opportunities**

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The signing of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) by the United States and Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Nicaragua on August 5, 2004, represented a giant step toward greater economic integration between the U.S. and these Central American and Caribbean nations. The Agreement, ratified and implemented by the U.S. and all other participating countries, provides for the immediate elimination of tariffs on more than 80 percent of U.S. exports of industrial and consumer goods, while tariffs on the remaining 20 percent of those products will be phased out by 2015. Under CAFTA-DR, more than half of U.S. agricultural exports now enter Guatemala duty-free, and Guatemala will eliminate its remaining tariffs on nearly all agricultural products by 2020. (2023 for rice and chicken leg quarters and 2025 for dairy products.) (President Bush signed the implementing legislation on August 2, 2005. Guatemala implemented the agreement on July 1, 2006.)

CAFTA-DR is the third largest Latin American market for U.S. goods, surpassed only by Mexico and Brazil. Along with reduced trade barriers, CAFTA-DR loosened restrictions that have historically locked U.S. firms into exclusive, often inefficient, distribution arrangements. CAFTA-DR member countries have further promised increased transparency in customs dealings, anti-corruption measures in government contracting and procurement, and strong legal protections for U.S. investors.

Regionalization has quickly become a fact of life for doing business in Central America. Factories and distribution facilities have been and continue to be designed to serve a regional market. Furthermore, rarely does a U.S. businessperson visit just one Central American country. New investors weigh the advantages that each country offers as they look to decide where to establish new plants. Regional managers are becoming the norm, with responsibilities for multiple countries within the Central American marketplace. Trade between the countries of Central America has also increased dramatically over recent years, a trend that was accelerated with CAFTA-DR implementation. Major investments in Guatemala by U.S. firms Wal-Mart, Citigroup and GE Finance also highlight the opportunities presented by CAFTA-DR. Foreign direct investment grew significantly in 2006 – 2008 but was estimated to decline 25 percent in 2009 as a result of the global economic crisis.

The Guatemalan market is competitive. Guatemalan businesspeople are price-sensitive and expect good after-sales service and support. They are accustomed to doing business with U.S. firms and many Guatemalans travel regularly to the United States and speak English.

The Guatemalan economy has expanded rapidly over the last several years. As a result of the global economic crisis, real GDP grew by only 0.6 percent in 2009. Year-on-year inflation declined from 9.4 percent in 2008 to -0.28 percent in 2009 mostly due to reduced domestic demand. Remittances, almost entirely from the U.S., are an important source of foreign income. More than one million Guatemalans in the US sent an estimated USD3.9 billion, equivalent to approximately 11 percent of GDP in remittances in 2009.

During 2009, despite the overall sluggish performance of Guatemala's exports, traditional agricultural products (sugar, bananas, cardamom, and coffee) performed well, in addition to non-traditional agricultural exports, such as prepared food, vegetables, and fruits. The non-traditional sector, in particular, has provided more jobs and increased income for tens of thousands of people over the past ten years. Tourism has also developed significantly and should continue to grow. Remittances from Guatemalans living abroad, mainly in the United States, have become a major income stream for the country. The textile industry, though a major employer, has been shrinking partially due to increased global competition and more recently, due to the slowdown in world demand for apparel products.

The government of Guatemala welcomes foreign investment and generally accords foreign investors national treatment. There are few legal or regulatory restrictions placed on foreign investors. At the same time, the country has a long way to go to make Guatemala truly business and investment friendly.

## **Market Entry Strategy**

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If the government continues to work toward economic reform, including incorporating more of its citizenry in the economy, maintaining free trade and liberal markets, as well as providing personal and investment security, U.S. companies can expect a growing market in Guatemala. The reality in Central America and in Guatemala today is that there are problems: corruption, weak judicial institutions, security issues, poverty, and low education levels top the list. However, there is also relative stability, real market opportunities and substantial U.S. exports in a dynamic market that is close to the U.S. and growing. Regional integration and CAFTA-DR will spur investment, growth, trade, and increased market opportunities for U.S. firms.

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## **Chapter 2: Political and Economic Environment**

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

<http://www.state.gov/r/pa/ei/bgn/2045.htm>

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### Using an Agent or Distributor

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One of the most important decisions a U.S. company will make in Guatemala will be the selection of a qualified and competent sales representative and/or distributor. A distributor with well-positioned sales outlets in important commercial locations will greatly enhance chances of capturing a major share of the end-user market.

Firms with valuable intellectual property to protect should take the legal steps necessary to ensure that it is protected. Firms should never delegate to a local agent, distributor or business partner the job of registering intellectual property including trademarks and trade names. It should be done directly by the U.S. firm, with the assistance of a Guatemalan attorney. Careful attention to Intellectual Property Rights (IPR) issues initially can prevent problems later.

Selection of the appropriate agent or distributor requires time and effort. The same high standards used when selecting a representative in the United States should, to the greatest extent possible, be used in Guatemala. English language capability, while important, should not be over-emphasized as a decision factor when selecting an agent or distributor. Reputation, product and industry knowledge, track record, enthusiasm and commitment should be weighed heavily.

Exclusivity will be requested by most potential agents and distributors, not only for Guatemala, but also in some cases, for part or all of Central America. U.S. exporters should scrutinize the request closely. The trend among U.S. and other foreign firms seeking representation in Guatemala is toward non-exclusivity and even well-defined, renewable periods for representation. Guatemala can be a great place from which to

enter the larger Central American market, but not all potential agents and distributors will be in a position to do this well.

In deciding with whom to work, U.S. firms should take the time to get to know the people they are considering, both in business and social settings (i.e., visit their offices, dine together, and request both local and international bank and trade references).

When completing an agency or distribution arrangement, U.S. exporters should make sure the agent or distributor understands clearly the terms of the relationship. The written agreement is important; however, both parties must understand it completely to avoid future problems. Exclusivity is understood unless the agreement specifically states otherwise.

Formal agency or distribution agreements should be reviewed by a Guatemalan attorney hired by the U.S. exporter (independent of the Guatemalan party with which the agreement is being established). The Guatemalan legal system can be slow and the law, under certain conditions, offers local agents and distributors a great deal of protection.

## **Establishing an Office**

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Authorizations required to operate an office in Guatemala:

A foreign entity legally registered in its country of origin and intending to do business in Guatemala must:

Register with the Mercantile Registry (Registro Mercantil)

Registro Mercantil de Guatemala

Address: 7a. Avenida 7-51, Zona 4  
01004 Guatemala

Ph.: [502] 2332-7685

Fax: [502] 2334-1754

Contact: Arturo Herrador Sandoval, Registrador

E-mail: [info@registromercantil.gob.gt](mailto:info@registromercantil.gob.gt)

Website: [www.registromercantil.gob.gt](http://www.registromercantil.gob.gt)

Documents for submission to the Mercantile Registry with Request for Registration:

- Proof that the entity is legally constituted in accordance with the laws of the country (state) in which it is organized or registered.
- Certified copy of the deed of incorporation (charter), the by-laws, and modifications thereto.
- Proof that the Board of Directors has duly resolved to operate in Guatemala and has authorized the legal procedure to obtain permission to do so.
- A power of attorney in which the person named is given ample powers to act and to represent the entity in all legal matters.
- A document in which an amount is assigned as capital, with reference to the entity's operations in Guatemala, and in which it is expressly stated that the entity

will be responsible for its obligations in Guatemala with all of its assets, both in Guatemala and abroad.

- A declaration that the entity recognizes the jurisdiction of the courts and laws of Guatemala, with respect to its activities and operations in the country, and that neither the entity nor its representatives and employees will seek special rights as foreigners.
- A declaration that the entity, prior to concluding operations in Guatemala, will fulfill all legal requirements in connection therewith.
- Certified copies of its latest financial statements (balance sheet and income account).

The documents must be certified by an authorized official in the country (state) of origin and must be authenticated by an appropriate Guatemalan Consular Official.

### **Registration with the Guatemalan Internal Revenue Service – SAT:**

Register with the Guatemalan Superintendent of Tax Administration (Superintendencia de Administracion Tributaria – SAT) at:

Superintendencia de Administracion Tributaria – SAT

Address: 7a. Ave. 3-73, Zona 9  
01009 Guatemala

Ph.: [502] 2329-7070 PBX

Fax: [502] 2329-7000

Website: [www.sat.gob.gt](http://www.sat.gob.gt)

Call Center: 1-801-0072848

Contact: Rudy Villeda Vanegas, Superintendent

The documentation for registration with the SAT, as required by the Income Tax Law, is identical to that required for registration with the Mercantile Registry. It is advisable to have the documents prepared in duplicate and to submit one set to the SAT, together with a copy of the authorization to operate in Guatemala issued by the Mercantile Registry. Registration under the Value Added Tax (Decree 27-92) is also necessary. This registration can also be made at the SAT.

## **Franchising**

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A Guatemalan Franchise Association, Asociación Guatemalteca de Franquicias AGF, was founded in August of 2007. This association was ratified by FIAF – Federacion Iberoamericana de Franquicias, located in Valencia, Spain. FIAF membership includes the following Ibero-American franchise associations: Mexico, Venezuela, Ecuador, Brazil, Argentina, Chile, Peru, Portugal, Spain and Guatemala. According to FIAF, Guatemala is the largest franchise market in Central America, with over 200 franchise chains and 3,500 outlets that have provided more than 25,000 direct jobs. Guatemala is also the fifth largest Latin American market for franchises. The industry has grown 3,500 percent in the past five years. The Guatemalan franchise market grew 35 percent last year. Local franchise companies operate mainly in the fields of fast food restaurants, bakeries, ice cream parlors, automobile services and supplies, gas stations, advertising signs, hotels, beauty clinics, gifts, and toy shops.



Opportunities for the establishment of additional U.S. franchises in all areas of economic activity are excellent, as businesspeople are increasingly interested in new franchising possibilities. Sources from the Franchise association commented that in tough economic times, the franchise business opens opportunities for projects that offer essential products, deals and packages that make the end-user's life easier.

The CAFTA-DR agreement is providing full market access to franchising. Trademark provisions protect the franchisor's name and tariff liberalization is allowing the lower-cost export of key equipment required to supply the franchisee.

The best and most effective way to enter the Guatemalan market is through one of the Department of Commerce' services, such as the Gold Key Service, which is designed to give U.S. companies the advantage of local expertise to schedule meetings with pre-screened potential business contacts.

Contact:

AGF – Asociacion Guatemalteca de Franquicias  
Address: 14 Calle 3-51, Zona 10  
Edificio Murano – Penthouse, Nivel 18  
01010 Guatemala  
Tel: [502] 2386-1081  
Fax: [502] 2386-1001  
Email: [guatefranquicias@guatefranquicias.com](mailto:guatefranquicias@guatefranquicias.com)  
Website: [www.guatefranquicias.com](http://www.guatefranquicias.com)  
Contact: Ramon Hernandez, President

## Direct Marketing

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Approximately one half of all imports from the United States are the result of direct sales. Many of these result from Guatemalan businesspeople contacting potential suppliers located in traditional U.S. supply centers, such as Miami, New Orleans, Los Angeles and Houston, among other cities, to satisfy a specific product or service need. Other sales result from marketing through the Internet, which is now very popular among medium and large businesses. Direct marketing is usually more effective in cases where the product is well-known or the universe of local buyers is relatively small and easily identifiable, such as sugar mills. To be effective, a U.S. exporter would need to send a sales person (preferably the same person, so that a relationship can develop) to Guatemala on a regular basis to call on existing and potential customers. Direct sales to government agencies and state-owned firms, except in a few cases, is not possible unless the foreign firm has some sort of local representative authorized to act on its behalf.

The use of the Internet is increasing in Guatemala. Many orders are placed via the Internet and most of the merchandise ordered, except for heavy machinery, is processed via electronic orders. Guatemalan businesspeople access websites and search for specialized merchandise. Many significant Guatemalan businesses have postal boxes in Miami. Arrangements for the shipping of merchandise to Guatemala are made by the ordering companies, which can make transportation fees more favorable.

Commercial companies in Guatemala are governed by the Commercial Code (Congressional Decree No. 2-70) of January 28, 1970. Article 10 of this Code recognizes as commercial companies those organized exclusively as:

General Partnerships  
Limited Partnerships  
Special Limited Liability Companies  
Corporations  
Stock-issuing Partnerships

Article 12 provides that banks, insurance companies, re-insurance companies, bonding companies, re-bonding companies, financial firms, general warehouses, stock markets, mutual societies, and other similar organizations will be controlled with respect to their form, organization and operation by the provisions of the Commercial Code, only to the extent that they are not covered by other specific laws and regulations.

### **Joint Ventures**

Joint Ventures (Negocios en Participación) are regulated by Articles 861 to 865 of the Commercial Code as contracts, not as companies or juridical persons. The use of a trade name that includes first names and two family names of the participating persons shall make those persons legally responsible, just as if they were members of a general partnership, assuming they consented to the use of their name.

In a joint venture, the participants enter into a participation contract (contrato de participación), by which the person called the “active partner” obligates himself to share with one or more persons called the “participants”, who contribute goods or services, the profits or losses resulting from one or several operations of their enterprise or of the complete turnover thereof. The active partner operates in his own name; there is no legal relationship between third parties and the participants.

### **Licensing**

Licensing is defined as a contract partnership in which two or more persons agree to place goods or services in common for the purpose of carrying out an economic activity, dividing the profits. The licensing contract is tailored according to the needs and interests of the parties involved. However, all obligations are governed by the Civil Code.

A company or association that has been legally established in the United States may be established in Guatemala or may have agencies or branches in Guatemala, after receiving authorization from the government. It must show proof of having been legally constituted and that it has appointed a paid local agent with all general and special powers. For purposes of the law, the agent is presumed to be vested with such powers, even though the agency agreement may not provide so specifically.

A foreign company or association that does business in Guatemala is required to:

- Establish agencies or branches that take care of its business.

- Have an accounting system, in legal form and in Spanish, in which the operations or business negotiations that take place in Guatemala are recorded.
- Submit for decision by the Guatemalan courts under Guatemalan law any legal questions that arise from the business of the agency or branch.

## **Selling to the Government**

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Sales to government agencies and corporations are best achieved through local agents, distributors and other types of representatives; in some cases it is a requirement. It is not very practical to target government sales if a firm does not have contacts in Guatemala to be on the lookout for opportunities and then assist with obtaining the specifications and meeting deadlines for submission.

The Government Procurement Law (Decree 57-92- Ley de Contrataciones del Estado de Guatemala) and its addendums, stipulate that all government purchases over USD 161,000 must be submitted for public competitive bidding, and no fewer than five bidders must participate, except when a project is considered to be so urgent as to be declared a national emergency. In the latter case, the Government of Guatemala can forgo the bidding process and may acquire the goods or services, regardless of the amount, from local firms or through dealers by direct importation. Unless otherwise specified, all government public bidding requires foreign suppliers to meet pre-qualification requirements, and to submit bids through local established representatives. Government purchases or acquisitions are generally exempted from import duties. The period granted for submission of bids is often limited.

Government procurements executed by one government administration are occasionally challenged by the subsequent government. In some of these cases, the Embassy can assist U.S. firms by encouraging the government to respect the original contract. The complete public bidding process can be accessed at [www.guatecompras.gob.gt](http://www.guatecompras.gob.gt) - Concursos Publicados.

## **Distribution and Sales Channels**

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Guatemalan businesspeople are accustomed to doing business with the United States. Most speak English. Most Guatemalan importers have traveled extensively to the United States and/or have done business with U.S. firms. Nevertheless, to maximize the probability of succeeding in the Guatemalan market, U.S. exporters should be aware of and respect local business practices.

Almost half of all firms selling into the Guatemalan market do so by means of a Guatemalan agent or distributor. The rest sell directly to Guatemalan buyers. In general, the more pre-sales marketing and after-sales support and service that a product requires, the more important it is to have a local agent and distributor.

Most business is conducted in Guatemala based on personal relationships. Guatemalan business executives and government officials place great importance on personal contacts with suppliers. U.S. suppliers should be prepared to have a local representative or distributor and to travel to Guatemala personally. U.S. businesspersons are often surprised at the accessibility of key decision makers and the openness and frankness of local buyers.

## **Selling Factors/Techniques**

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Guatemalan purchasing decisions are primarily based on price, service and quality. Being "Made in USA" usually confers a strong advantage to any product in the Guatemalan marketplace.

Direct sales by U.S. exporters to end-users, importers, wholesalers and retailers are usually most successful when the product is well-known within the market or when a limited number of (usually large) buyers exist. Direct sales are often supported by local advertising, sales promotion campaigns, technical or illustrative brochures, visits by salespeople, and in some cases samples.

Sales via local agents and distributors are the most effective means of penetrating the market successfully, in most cases. The U.S. exporter appoints a person or firm, which in turn, either promotes sales on a commission basis or purchases the merchandise and re-sells it. End-users and retailers generally have neither the experience nor the time to import directly, nor to handle customs clearance, which is time-consuming. Once exclusive representation has been given to a local company, it cannot be taken away and given to another company without complying with the existing Agency, Distribution and Representation Law, contained in Congressional Decree No. 8-98, of February 4, 1998.

## **Electronic Commerce**

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E-Commerce is becoming a common practice in the Guatemalan market. Guatemala has begun to use e-commerce among its chambers and associations, some of the larger banks, supermarkets, the exporters' guild, and others. Some government agencies, like the local equivalent of the Internal Revenue Service, the Government Procurement Office, and Trade Mark Registry have launched web pages and offer interactive services. Businesspeople, associations, and the government have realized that this is a very important electronic tool in doing business.

The e-commerce industry is growing rapidly. Large companies have been the first to take advantage of this tool. It will take some time for smaller firms to adapt. Examples of some users of e-commerce are: [www.amchamguate.com](http://www.amchamguate.com), [www.camaradecomercio.org.gt](http://www.camaradecomercio.org.gt), [www.industriaguatemala.com](http://www.industriaguatemala.com), [www.coperex.com](http://www.coperex.com), [www.prensalibre.com.gt](http://www.prensalibre.com.gt), [www.guatecompras.gob.gt](http://www.guatecompras.gob.gt), [www.negociosguatemala.com.gt](http://www.negociosguatemala.com.gt), [www.hiperpaiz.com](http://www.hiperpaiz.com), [www.bi.com.gt](http://www.bi.com.gt)

In September 2008, an E-commerce bill was approved by Congress. This bill is called "Law for the Recognition of Communications and Electronic Signatures", provides a secure environment for the transmission of electronic messages, addresses the validity and efficiency of documents and electronic signatures and contains other E-commerce specific matters.

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The Commercial Service of the U.S. Embassy in Guatemala City can provide guidance and assistance to U.S. firms seeking to enter or expand their presence in the Guatemalan market. The following trade associations can also provide guidance, information and/or

assistance to companies planning trade promotion events, which may include product demonstrations, seminars, conferences, etc. The associations are as follows:

American Chamber of Commerce of Guatemala (AMCHAM)

Address: 5a. Ave. 5-55, Zona 14  
EuroPlaza, Torre I, Nivel 5  
01014 Guatemala  
Ph.: [502] 2417-0800  
Fax: [502] 2417-0777  
Contact: Carolina Castellanos, Director  
Juan Pablo Carrasco, President  
E-mail: [director@amchamguate.com](mailto:director@amchamguate.com)  
Web page: [www.amchamguate.com](http://www.amchamguate.com)

Camara de Comercio de Guatemala  
(Guatemalan Chamber of Commerce)

Address: 10a. Calle 3-80, Zona 1  
01001 Guatemala  
Ph.: [502] 2417-2700  
Fax: [502] 2417-2791  
Contact: Juan Jose Cabrera Alonzo, General Manager  
Contact: Jorge Briz Abularach, President  
E-mail: [info@camaradecomercio.org.gt](mailto:info@camaradecomercio.org.gt), [gerencia@camaradecomercio.com](mailto:gerencia@camaradecomercio.com)  
Web page: [www.camaradecomercio.org.gt](http://www.camaradecomercio.org.gt)

Cámara de Industria de Guatemala  
(Chamber of Industry)

Address: Ruta 6 9-21, Zona 4  
Edificio Camara de Industria, Nivel 12  
01004 Guatemala  
Ph.: [502] 2380-9000 / 2334-4848  
Fax: [502] 2334-1090  
Contact: Juan Antonio Busto, President  
Javier Zepeda, Executive Director  
E-mail: [cig@industriaguade.com](mailto:cig@industriaguade.com)  
Web page: [www.industriaguade.com](http://www.industriaguade.com)

U.S. firms that are interested in participating in local trade events held in Guatemala may wish to receive more information from different organizers:

APPAREL SOURCING SHOW – March 23-25, 2010 (annual)  
VISIT–USA International Trade Show - August 27, 2010  
EXPOMUEBLE - August 2010 (Furniture Show)  
FERRETEXPO - November 2010 (Hardware and Construction Equipment)

Organizers of these and other fairs:

COPEREX

Address: 8a. Calle 2-33, Zona 9  
Parque de la Industria

01009 Guatemala  
Ph.: [502] 2222-6464/ 2334-1269  
Fax: [502] 2331-7845  
Contact: Roberto Gonzalez  
E-mail: [info@coperex.com](mailto:info@coperex.com)  
Web page: [www.coperex.com.gt](http://www.coperex.com.gt)

Osmosis, Impulso y Desarrollo  
Address: 9 Calle 18-51, Zona 14  
01014 Guatemala  
Ph.: [502] 2379-3879 -91  
Contact: Carlos Rafael Anzueto, General Manager  
E-mail: [ventas@osmosisconsultores.com](mailto:ventas@osmosisconsultores.com)  
Web page: [www.feriatecnoalimentaria.com](http://www.feriatecnoalimentaria.com)

The Commercial Service in Guatemala offers to assist U.S. exporters in promoting their materials at some of the local events mentioned above. More information may be obtained at:

U.S. Embassy  
Commercial Service  
Ph.: [502] 2326-4259  
Fax: [502] 2331-7373  
E-mail: [Guatemala.Office.Box@mail.doc.gov](mailto:Guatemala.Office.Box@mail.doc.gov)  
Web page: [www.buyusa.gov/guatemala/en](http://www.buyusa.gov/guatemala/en)

### Advertising

Advertising in Guatemala is usually done through the local media, such as newspapers, magazines, radio and television. In recent years, the use of billboards displayed along highways has proliferated. Firms interested in advertising in Guatemala may wish to contact the following association for guidance and referrals to Guatemalan advertising firms:

Union Guatemalteca de Agencias de Publicidad - UGAP  
(Guatemalan Association of Advertising Agencies)  
Address: 13 Calle 3-40, Zona 10  
Edificio Atlantis, Nivel 3, Local 45  
01010 Guatemala  
Ph.: [502] 2367-2301 to 2303  
Fax: [502] 2367-2304  
Contact: Pauline Crespo K., Executive Director  
E-mail: [director@ugap.com](mailto:director@ugap.com), [ugap@ugap.com](mailto:ugap@ugap.com)  
Web page: [www.ugap.com](http://www.ugap.com)

### Major Newspapers

The leading newspapers in Guatemala include the following:

Prensa Libre  
Address: 13 Calle 9-31, Zona 1  
01001 Guatemala

Ph.: [502] 2412-5000  
Fax: [502] 2251-8768  
Contact: Luis Enrique Solorzano, General Manager  
Gonzalo Marroquin, Editorial Director  
E-mail: [nacionales@prensalibre.com.gt](mailto:nacionales@prensalibre.com.gt)  
Web page: [www.prensalibre.com.gt](http://www.prensalibre.com.gt)

#### Siglo Veintiuno

Address: 14 Ave. 4-33, Zona 1  
01001 Guatemala  
Ph.: [502] 2423-6100  
Fax: [502] 2423-6346  
Contact: Carlos Castañaza, Executive Director  
Luis Eduardo Marroquin General Director  
E-mail: [servicios@sigloxxi.com](mailto:servicios@sigloxxi.com)  
Web page: [www.sigloxxi.com](http://www.sigloxxi.com)

#### El Periódico

Address: 15 Avenida 24-51, Zona 13  
01013 Guatemala  
Ph.: [502] 2427-2300  
Fax: [502] 2427-2361  
Contact: Juan Luis Font, Director  
E-mail: [opinion@elperiodico.com.gt](mailto:opinion@elperiodico.com.gt)  
Web page: [www.elperiodico.com.gt](http://www.elperiodico.com.gt)

#### Nuestro Diario

Address: 15 Avenida 24-27, Zona 13  
01013 Guatemala  
Ph.: [502] 2379-1600  
Fax: [502] 2379-1621  
Contact: Jorge Springmuhl, General Manager  
E-mail: [opinion@nuestrodiario.com.gt](mailto:opinion@nuestrodiario.com.gt)  
Web page: [www.nuestrodiario.com](http://www.nuestrodiario.com)

#### La Hora

Address: 9a. Calle "A" 1-56, Zona 1  
01001 Guatemala  
Ph.: [502] 2423-1800  
Fax: [502] 2423-1837  
Contact: Oscar Clemente Marroquin, Director  
E-mail: [lahora@lahora.com.gt](mailto:lahora@lahora.com.gt)  
Web page: [www.lahora.com.gt](http://www.lahora.com.gt)

#### Television Channels/Companies:

The following are the major television channels in Guatemala:

#### Canal 3 de Television (Channel 3)

Address: 30 Avenida 3-40, Zona 11  
01011 Guatemala

Ph.: [502] 2410-3000  
Fax: [502] 2410-3003  
Contact: Fernando Villanueva, General Manager  
E-mail: [canal3@canal3.com.gt](mailto:canal3@canal3.com.gt)  
Web page: [www.canal3.com.gt](http://www.canal3.com.gt), (in construction)

Telesiete (Channel 7)

Address: 30 Avenida 3-40, Zona 11  
01011 Guatemala  
Ph.: [502] 2410-3000  
Fax: [502] 2410-3003  
Contact: Victor Bolaños, General Director  
E-mail: [victor.bolanos@canal7.com](mailto:victor.bolanos@canal7.com)  
Web page: [www.canal7.com.gt](http://www.canal7.com.gt), (in construction)

TELE ONCE (Channel 11)

Address: 20 Calle 5-02, Zona 10  
01010 Guatemala  
Phone: [502] 2368-2532  
Fax: [502] 2333-4653  
Contact: Juan Carlos Ortiz, General Manager  
E-mail: [jcof@canalonce.tv](mailto:jcof@canalonce.tv)  
Web page: N/A

TRECEVISION (Channel 13)

Address: 20 Calle 5-02, Zona 10  
01010 Guatemala  
Phone: [502] 2368-2532  
Fax: [502] 2333-4653  
Contact: Juan Carlos Ortiz  
E-mail: [jcof@canalonce.tv](mailto:jcof@canalonce.tv)  
Web page: N/A

GuateVision (Channel 39)

Address: Calzada Roosevelt 22-43, Zona 11  
Tikal Futura Torre Sol Nivel 4  
01011 Guatemala  
Ph.: [502] 2328-6000  
Fax: [502] 2328-6002  
Contact: Haroldo Sanchez, General Manager  
E-mail: [arosanchez@yahoo.es](mailto:arosanchez@yahoo.es)  
Web page: [www.guatevision.com](http://www.guatevision.com)

Mayacable/Comtech

Address: 6a. Calle 07-73 Zona 09  
Edificio Telgua, Primer Nivel  
01009 Guatemala  
Ph.: [502] 2420-5700, [502] 2420-5712  
Fax: [502] 2420-5707  
Contact: Aldo Ordoñez, General Manager  
E-mail: [clientes@comtech.net.gt](mailto:clientes@comtech.net.gt)



Web page: [www.comtech.net.gt](http://www.comtech.net.gt)

#### Radio Stations:

To listen to Guatemalan radio on the Internet, visit [www.comfm.com/live/radio/?c=gt](http://www.comfm.com/live/radio/?c=gt).

For a list and description of Guatemalan radio stations, visit:  
[www.tvradioworld.com/region1/gtm/Radio.asp](http://www.tvradioworld.com/region1/gtm/Radio.asp)

The following is a list of some of the major radio stations in Guatemala City:

#### Emisoras Unidas

Address: 4a. Calle 6-84, Zona 13  
01013 Guatemala  
Ph.: [502] 2421-5353  
Fax: [502] 2440-5159  
Contact: Rolando Archila Dehesa, General Manager  
Luis Felipe Valenzuela, Director  
E-mail: [emisorasunidas@emisorasunidas.com](mailto:emisorasunidas@emisorasunidas.com)  
Web page: [www.emisorasunidas.com](http://www.emisorasunidas.com)  
Note: Emisoras Unidas is the largest radio network throughout Guatemala.

#### Cadena Azul de Guatemala

##### Radio Mundial

Address: 6a. Avenida 2-80, Zona 1  
01001 Guatemala  
Ph.: [502] 2386-9191  
Fax: [502] 2386-9121  
Contact: Fredy Azurdia, General Manager  
E-mail: [radiomundial@hotmail.com](mailto:radiomundial@hotmail.com)  
Web Page: N/A

##### Radio Punto

Address: 6a. Avenida 0-60, Zona 4  
Edificio Torre Profesional II, Nivel 10  
01004 Guatemala  
Ph.: [502] 2412-8406  
Fax: [502] 2335-2045  
Contact: Helen Liu de Sanchez, General Manager  
E-mail: [info@grupoalio.com](mailto:info@grupoalio.com)  
Web page: [www.grupoalio.com](http://www.grupoalio.com)

##### Radio Sonora

Address: 2 Calle 18-07, Zona 15, Vista Hermosa I  
01015 Guatemala  
Ph.: [502] 2414-4800  
Fax: [502] 2414-4803  
Contact: Arnulfo Agustin Guzman, Director  
E-mail: [recepcion@sonora.com.gt](mailto:recepcion@sonora.com.gt)  
Web page: [www.sonora.com.gt](http://www.sonora.com.gt)

#### Grupo Nuevo Mundo

Address: 9<sup>a</sup>. Ave. 13-58, Zona 1  
01001 Guatemala  
Ph.: [502] 2285-1212  
Fax: [502] 2285-1220  
Contact: Alfredo Gonzalez Gamarra, Manager  
E-mail: [nuevomundo96.1@yahoo.com](mailto:nuevomundo96.1@yahoo.com)  
Web page: N/A

#### Grupo Radio Rumbos

Address: 6a. Avenida 0-60, Zona 4  
Torre Profesional I, nivel 9  
01004 Guatemala  
Ph.: [502] 2335-1738  
Fax: [502] 2338-009  
Contact: Alfredo Gonzalez Gamarra, Manager  
E-mail: [info@gruporumbos.com](mailto:info@gruporumbos.com)  
Web page: [www.gruporadorumbos.com](http://www.gruporadorumbos.com)

#### Magazines and Business Journals:

The following are some of the leading magazines for business in Guatemala:

#### Revista Gerencia

Asociación de Gerentes de Guatemala

Address: 3<sup>a</sup>. Avenida 13-78, Zona 10, Nivel 4 Edificio Citi Group  
01010 Guatemala  
Ph.: [502] 2427-4900  
Fax: [502] 2427-4971  
Contact: Ileana López, Manager  
E-mail: [gileana@agg.or.gt](mailto:gileana@agg.or.gt)  
Web page: [www.agg.org.gt](http://www.agg.org.gt)

#### Revista Industria

Cámara de Industria de Guatemala

Address: Ruta 6 9-21, Zona 4  
Edificio Cámara de Industria  
01004 Guatemala  
Ph.: [502] 2380-9000  
Fax: [502] 2380-9110  
Contact: Alan Valenzuela  
E-mail: [revistaindustria@industriaguatemala.com](mailto:revistaindustria@industriaguatemala.com)  
Web page: [www.revistaindustria.com](http://www.revistaindustria.com)

#### Mundo Comercial

Cámara de Comercio de Guatemala

Address: 10a. Calle 3-80, Zona 1  
01001 Guatemala  
Ph.: [502] 2417-2700  
Fax: [502] 2220-9393  
Contact: Jeannette Balcarcel y Cristian Mayorga, editors

E-mail: [jbalcarcel@camaradecomercio.org.gt](mailto:jbalcarcel@camaradecomercio.org.gt);  
[cmayorga@camaradecomercio.org.gt](mailto:cmayorga@camaradecomercio.org.gt)  
Web page: [www.camaradecomercio.org.gt](http://www.camaradecomercio.org.gt)

#### Doing Business in Guatemala

American Chamber of Commerce of Guatemala

Address: 5<sup>a</sup>. Avenida 5-55, Zona 14  
Edificio Europlaza, Nivel 5  
01014 Guatemala

Ph.: [502] 2417-0800

Fax: [502] 2417-0777

Contact: Lourdes Monterroso, Publishing Department

E-mail: [mercadeo@amchamguate.com](mailto:mercadeo@amchamguate.com)

Web page: [www.amchamguate.com](http://www.amchamguate.com)

#### Internet Sites:

Terra Networks Guatemala, S.A.

Address: Diagonal 6 10-01, Zona 10  
Centro Gerencial Las Margaritas Torre II, Oficina 9002-B  
01010 Guatemala

Ph.: [502] 2379- 9999

Fax: [502] 2379- 9998

Contact: Carlos Raul Colindres

E-mail: [info@corp.terra.com.gt](mailto:info@corp.terra.com.gt)

[publicidad@corp.terra.com.gt](mailto:publicidad@corp.terra.com.gt)

Web page: [www.terra.com/gt](http://www.terra.com/gt)

### **Pricing**

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Price is a very important decision factor for most Guatemalan businesspeople when selecting a supplier of imported goods and services. Many Guatemalan businesspeople are accustomed to purchasing directly from abroad, especially when they feel that the price of locally available imported products or services is too high. In order to calculate the cost of a product or shipment, companies add up the following expenses:

- a) Product F.O.B. cost
- b) Product freight and/or transportation cost
- c) Product insurance cost
- d) Consular fees (in some cases; however, CAFTA-DR members including the United States are except from consular fees)
- e) Import duties
- f) Value added tax, 12 percent

### **Sales Service/Customer Support**

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One of the most important purchasing decision factors for Guatemalan importers is after-sales service. U.S. firms, more than other foreign firms, generally have a reputation for providing good service and support. U.S. firms interested in penetrating the Guatemalan market should make a commitment to offer excellent service and support to their

Guatemalan buyers, agents and distributors. This commitment to excellent service and support should also be made clear by the U.S. firm to its local agent or distributor. Poor or mediocre service often leads to lower sales. The Guatemalan business community is comparatively small and word travels quickly about local and foreign firms that offer poor service and support.

Although after-sales service is not included in the Commercial Code, many representatives, wholesalers and retailers also provide after-sales service and support. This is particularly the case with items such as household appliances, electronic consumer goods, telecommunications and computer equipment, other electronic equipment and industrial machinery. There are no provisions in the law regarding product guarantees. However, most retailers provide some sort of guarantee that covers problems which occur under normal conditions of use.

## **Protecting Your Intellectual Property**

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Several general principles are important for effective management of intellectual property rights (IPR) in Guatemala. First, it is important to have an overall strategy to protect IPR. Second, IPR is protected differently in Guatemala than in the U.S. Third, rights must be registered and enforced in Guatemala, under local laws. Companies may wish to seek advice from local attorneys or Intellectual Property (IP) consultants.

It is vital that companies understand that intellectual property is primarily a private right and that the U.S. government (USG) cannot enforce rights for private individuals in Guatemala. It is the responsibility of the holder of the IP rights to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. While the USG is willing to assist, there is little it can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IPR in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to doctrines such as statutes of limitations, laches, estoppels, or unreasonable delay in prosecuting a lawsuit. In no instance should USG advice be seen as a substitute for the obligation of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on partners. Negotiate from the position of your partner and give your partner clear incentives to honor the contract. A good partner is an important ally in protecting IPR. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in Guatemala require constant attention. Work with legal counsel familiar with Guatemalan laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support efforts to protect IPR and stop counterfeiting. There are a number of these organizations, both Guatemalan and U.S.-based. These include:

- The U.S. Chamber and local American Chamber of Commerce (AmCham)
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)

- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)
- Registry of Intellectual Property, Ministry of Economic Affairs
- FOMPI (Association for Fostering IPR)

## IPR Resources

A wealth of information on protecting IPR is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the U.S. and other countries -- call the STOP! Hotline: 1-866-999-HALT or register at [www.StopFakes.gov](http://www.StopFakes.gov).
- For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the U.S. Patent and Trademark Office (USPTO) at: 1-800-786-9199.
- For more information about registering for copyright protection in the U.S., contact the U.S. Copyright Office at: 1-202-707-5959.
- For U.S. small and medium sized companies, the Department of Commerce offers a "Small and Medium Sized Enterprises (SME) IPR Advisory Program" available through the American Bar Association that provides one hour of free IPR legal advice for companies with concerns in Brazil, China, Egypt, India, Russia, and Thailand. For details and to register, visit: [http://www.abanet.org/intlaw/intlproj/iprprogram\\_consultation.html](http://www.abanet.org/intlaw/intlproj/iprprogram_consultation.html)
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: [www.StopFakes.gov](http://www.StopFakes.gov) This site is linked to the USPTO website for registering trademarks and patents (both in the U.S. as well as in foreign countries), the U.S. Customs & Border Protection website to record registered trademarks and copyrighted works (to assist customs in blocking imports of IPR-infringing products) and allows you to register for Webinars on protecting IPR.

The U.S. Commerce Department has positioned IP attachés in key markets around the world. You can get contact information for the IP attaché who covers Guatemala at: [Dorian.Mazurkevich@mail.doc.gov](mailto:Dorian.Mazurkevich@mail.doc.gov)

## IPR Climate in Guatemala

*[Please refer to Chapter 6/Investment Climate/Protection of Property Rights in this document. Guatemala's IP office contact information can also be found at <http://www.wipo.int/directory/en/urls.jsp>.]*

Firms with valuable intellectual property to protect should take the legal steps necessary to ensure that it is protected. Firms should never delegate to a local agent, distributor or business partner the job of registering intellectual property including trademarks and trade names. It should be done directly by the U.S. firm, with the assistance of a Guatemalan attorney. Careful attention to IPR issues initially can prevent problems later.

## Intellectual Property Registry

Congressional Decree No. 57-2000 ratified the Central American Agreement for Intellectual Property Protection. This law establishes a uniform legal framework for all the Central American countries regarding trademarks, trade names and expressions or advertising jingles and signs. The Rules and Regulations to be followed are found in Decree #89-2002, dated March 19, 2002.

Ownership of a trademark is obtained through its registration in accordance with the above-mentioned agreement and proven with the Registry's certification, issued by a competent authority.

The rights granted through the registration of a trademark last ten years, and may be renewed repeatedly for the same period of time by complying with the requirements established by the agreement. Any natural or legal person may obtain the registration of their trademarks.

Detailed information on the registration of trademarks or intellectual property can be accessed at: [www.rpi.gob.gt](http://www.rpi.gob.gt)

The Intellectual Property Registrar may be contacted at:

Registro de la Propiedad Intelectual  
Address: 7a. Avenida 7-61, Zona 4  
01004 Guatemala  
Ph.: [502] 2324-7070  
Fax: [502] 2324-7051/52  
Contact: Ileana de Benitez, Registradora General  
E-mail: [ileanadebenitez@rpi.gob.gt](mailto:ileanadebenitez@rpi.gob.gt)  
Web page: [www.rpi.gob.gt](http://www.rpi.gob.gt)

## **Due Diligence**

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Performing due diligence in Guatemala can be time-consuming and difficult. There are very few sources of independently verifiable information about companies and individuals. There are no publicly-listed Guatemalan companies and rarely do they publish information about their officers, sales or financial information. Most companies are sole proprietorships and partnerships, and business generally is conducted based upon personal reputation and contacts.

Companies should request bank and trade references from potential agents and customers. Companies should also consult with their own U.S. banks for information on Guatemalan banks, most of which have correspondent banking relationships with banks in Florida.

## **Local Professional Services**

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Professional services involving lawyers, auditors, consultants, custom brokers, financial consultants, etc. can be very useful in instances such as preparation of agency and distribution agreements and are essential for the legal registration of a new company, registration of a patent or trademark, debt collection, property rights, power of attorney,

and trade arbitration. As a matter of good business practice, U.S. businesspeople should not share the same attorney or auditors utilized by their local business associates.

Please visit the following website:

<http://www.buyusa.gov/guatemala/en/guatemalanserviceproviders.html> to find a list of Business Service Providers. The U.S. Government cannot recommend any particular attorney or professional.

## Web Resources

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- Advertising Association: [www.ugap.com](http://www.ugap.com)
- Agritrade: <http://www.export.com.gt>
- American Chamber of Commerce: [www.amchamguate.com](http://www.amchamguate.com)
- Apparel Show: [www.apparel.com.gt](http://www.apparel.com.gt)
- Chamber of Construction: [www.construguate.com](http://www.construguate.com)
- COPEREX Trade Fairs: [www.coperex.com.gt](http://www.coperex.com.gt)
- El Periodico (newspaper): [www.elperiodico.com.gt](http://www.elperiodico.com.gt)
- Expomueble (furniture): <http://www.export.com.gt>
- Export association: [www.export.com.gt](http://www.export.com.gt)
- Guatemalan Chamber of Commerce: [www.camaradecomercio.org.gt](http://www.camaradecomercio.org.gt)
- Guatemala Chamber of Industry: [www.industriaguate.com](http://www.industriaguate.com)
- Guatemala Managers Association: [www.agg.org](http://www.agg.org)
- Guatemala Procurement Office: [www.guatecompras.gob.gt](http://www.guatecompras.gob.gt)
- Guatemala Radio Stations: [www.tvradioworld.com/region1/gtm/radio.asp](http://www.tvradioworld.com/region1/gtm/radio.asp)
- GuateVision: [www.guatevision.com](http://www.guatevision.com)
- InduExpo: <http://www.industriaguate.com/>
- Mayacable/Comtech: [www.comtech.net.gt](http://www.comtech.net.gt)
- Prensa Libre (newspaper): [www.prensalibre.com.gt](http://www.prensalibre.com.gt)
- Siglo XXI (newspaper): [www.sigloxxi.com](http://www.sigloxxi.com)
- Superintendent of Tax Admin/SAT: [www.sat.gob.gt](http://www.sat.gob.gt)
- U.S. Embassy Guatemala: <http://guatemala.usembassy.gov/>

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## Chapter 4: Leading Sectors for U.S. Export and Investment

### **Commercial Sectors**

- [Automotive: Accessories, Auto Parts and Service Equipment AUT](#)
- [Forestry and Woodworking Machinery FOR](#)
- [Security and Safety Equipment SEC](#)
- [Travel and Tourism TRA](#)

- [Agricultural Sectors](#)



## Automotive: Accessories, Auto Parts and Service Equipment

Overview

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### Automotive Parts Trade Balance (USD Thousands)

	<u>2006</u>	<u>2007</u>	<u>2008</u>
<b>Total imports</b>	<b>293,373</b>	326,669	331,761
<b>Total Imports from U.S.</b>	104,194	116,926	114,855
<b>Total Exports</b>	27,965	27,166	31,500

Source: SIECA

The Guatemalan market for automotive parts and accessories remained steady in 2009. On average, Guatemalans keep their automobiles for 5-7 years before purchasing a newer model. There is a large market of importers who buy damaged cars at auctions in the U.S. These automobiles are repaired and refurbished locally for later re-sale. There are nearly two million used vehicles on the roads. These cars require continuous maintenance and replacement services. Imported parts and equipment are sold to local mechanic shops, service stations and gas stations. The enormous volume of used vehicles in circulation has stimulated the need for this type of equipment. Automotive parts importers have to keep up with the demand from local importers of used cars, who need parts to repair sometimes severely damaged cars.

Almost thirty five percent of all automotive parts, accessories and service equipment are imported from the U.S. with the other sixty five percent of imports coming from Asia, Brazil and Europe. Asian manufacturers are present in the market with low priced products. It is estimated that almost eighty percent of the cars circulating in Guatemala represent Asian brands.

Customs records for Guatemala report that the U.S. has approximately thirty five percent market share, but this does not necessarily mean that products are manufactured in the U.S., as in some cases cars sold by American distributors are assembled overseas.

Import taxes for new cars are considered high (between 10-20 percent); hence purchasing new models is not common. There are periodic efforts in Congress to establish a first license plate "fee" which may affect imports.

## Best Prospects/Services

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The most promising sub-sectors for U.S. products within the industry include aftermarket products such as: bumpers, spoilers, tail lights, wheels, sound systems, alarms, tires, batteries, suspension kits, mufflers, filters, chips, exhaust systems, brakes, windshield wipers, spark plugs, wheel covers, steering wheels, etc.

Other promising products are service equipment such as: lifts, tire repair, electronic diagnosis, tire balancing, compressors, and in general all necessary equipment and tools for service stations.

## Opportunities

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There are more than one hundred spare parts and service agents in Guatemala. There is a large demand for aftermarket products, service tools and equipment. The majority of agents and distributors, whether they are large companies or small entrepreneurs, are always open to look at new alternatives to offer their customers. It is very important to note that this market is completely price driven and that Asian brands are well positioned in the market. Innovative, unusual products are a good opportunity for U.S. manufacturers as long as the prices remain competitive.

**Market Size:** 1,898,550 vehicles (2009)

**U.S. Auto Parts Exports:** USD 114 million (2008 estimated)

**Impact of Tariff Reduction:** Free duty entrance for automotive parts under CAFTA - DR, which had ranged from one to twenty percent, provides immediate cost savings.

### Other Trade Agreement Impacts:

Origin rules in CAFTA-DR allow remanufactured parts to qualify for duty free treatment, potentially expanding the market for these products in the CAFTA-DR region.

## Resources

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- U.S. Commercial Service in Guatemala: [www.buyusa.gov/guatemala](http://www.buyusa.gov/guatemala)
- Official website for Government Tenders: [www.guatecompras.gt](http://www.guatecompras.gt)
- Guatemalan Chamber of Commerce: [www.negociosenguatemala.com](http://www.negociosenguatemala.com)
- Tax information official website: [www.sat.gob.gt](http://www.sat.gob.gt)
- Statistical information: [www.sieca.org.gt](http://www.sieca.org.gt)

## Forestry and Woodworking Machinery (FOR)

### Overview

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Forestry and Woodworking Machinery Trade Balance

	2006	2007	2008
Total Market Size	14,763	21,400	21,320
Total Local Production	n/a	n/a	n/a
Total Exports	996	1,053	1,356
Total Imports	15,759	22,454	22,677
Imports from the U.S.	7,347	8,974	7,979

(Source : SIECA. Statistics in thousands of US dollars.)

(Statistics based on HS codes : 8202, 820310, 846150, 8464, 8465)

The current market size of the woodworking industry in Guatemala has had steady growth each year, showing an increase in imports despite the current economic crisis.

Much of this growth is fueled by domestic and export demand. Manufacturers in Guatemala have realized the need to modernize their woodworking machinery and shift towards mechanized mass production to fill the demand gap in the country and meet international standards of price and quality. Technology up-grades and capacity expansion are a strong focus area for woodworking today in Guatemala.

Guatemala has many different microclimates throughout the country creating a perfect environment for the development of wood forests. According to the Forest Guild of Guatemala there are around 22 wood mills and around 200 companies that use wood to manufacture products for construction, furniture and carpentry.

The Guatemalan Government created in 1997 the National Forest Institution (INAB) that is in charge of the promotion and execution of policies to maintain current forests and also offer incentives to large land owners to grow forests for production and conservation. These policies have been very effective since the creation of this entity, and as a result Guatemala has large areas of forest for production with many different types of wood.

The U.S. is the major exporter of wood-related equipment and accessories but has strong competition from China and Mexico that have gained market share in recent years. Most of the local importers do prefer quality products that do not wear down as fast as Chinese made products but still sometimes price can be an important issue.

### Best Prospects/Services

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Best prospects for forestry and woodworking sector include :

- Arch machines
- CNC Routers
- Door Machines
- Glue applicators
- Chippers

- Electric Saws
- Sanders
- Tools

## Opportunities

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The Guatemalan woodworking machinery industry is maturing and convinced that they need improved machinery for faster, more efficient production instead of traditional manual labor. This presents an opportunity for U.S. companies. There are no local manufacturers of machinery and tool import taxes range from 0 percent to 15 percent plus the VAT of 12 percent.

CS Guatemala has good relationships with the different entities of this sector and is in constant watch for woodworking opportunities. There are two local shows for this industry:

Expomueble, an expo for furniture manufacturers and Promueble, a show for tools and machinery for wood.

CS is actively promoting two International Buyer Program delegations to AWFS and IWF, both excellent U.S. shows in this sector. Each show occurs every two years and Guatemala has successfully sent Guatemalan delegations looking for new machinery to both expos in the past. For further information on the Guatemalan and U.S. shows, contact the Commercial Section.

## Resources

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Secretariat for the Central American Economic Integration : [www.sieca.org.gt](http://www.sieca.org.gt)

National Forest Institution : [www.inab.gob.gt](http://www.inab.gob.gt)

Forest Trade Union : [www.gremialforestal.com](http://www.gremialforestal.com)

Guatemalan Exporters Association : [www.export.com.gt](http://www.export.com.gt)

## Security and Safety Equipment (SEC)

### Overview

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Security and Safety Equipment Trade Balance

	2006	2007	2008
Total Market Size	344,489	137,881	124,036
Total Local Production	n/a	n/a	n/a
Total Exports	5,964	9,154	5,539
Total Imports	350,453	147,035	129,575
Imports from the U.S.	238,382	90,888	70,304

(Source : SIECA. Statistics in thousands of US dollars.)

(Statistics based on HS codes : 842410, 847150,847160, 847180, 852110, 852590, 852510, 852520, 852530, 852821, 852822, 853080, 853110, 853120,853180, 853190, 853650, 854140, 854381,852359, 902219.)

Guatemala has increasing insecurity due to the expansion of drug cartels, organized crime, lack of prosecution and conviction, and an ineffective and insufficient police force. Robberies of all types are committed daily. The general perception is that government agencies have been infiltrated by the cartels. The general public has little or no confidence in law enforcement agencies believed corrupt.

Citizens also recognize the lack of the ability of the police to protect private property and companies. Companies as well as individuals are taking security into their own hands hiring private security and demanding more security systems.

According to security statistics in Guatemala:

- In 2009 Guatemala ranked fifth in Latin America with a rate of 45.2 murders for every 100,000 citizens
- 24,567 robberies reported in 2009
- There are 145 companies in the security business
- More than 1,350,000 guns in the country

According to the Security Chamber of Guatemala, private companies invest between 10 to15 percent of their annual budget in security products and services.

The demand of security and safety products in Guatemala is expected to grow in the in the near future despite the world economic crisis that showed a decrease in the amount of imports for 2008. This decrease is also partially explained as security products have lowered their price. For example, the market offers better and less expensive DVRS and CCTVS than years past.

Though not reflected in the table, statistics in most hs codes show a continuous increase in almost all of the products related to security and safety except for one. That product experienced an unusual peak during 2006 due to a large one time import of products under HS codes 852510 (Transmission Apparatus), 852520 (Transmission Apparatus Incorporating Reception Apparatus) and 852526 (Radar Apparatus, Radio Navigational Aid Apparatus and Radio Remote Control).

U.S. products have the majority of market share with 54.26 percent and compete with Mexico, Asia and Germany. Most of the well known brand companies from the U.S. have a distributor or agent locally and offer training, installation and after sales service.

### **Best Prospects/Services**

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Best prospects for products and services in the security and safety sector include :

- Tracking devices
- CCTV
- GPS and RFID technology
- Metal detectors (manual and arc type)
- Biometrics
- Perimeter security
- Alarms
- Access control equipment
- Armored vehicles

### **Opportunities**

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Personal security products, protection products and high tech solutions and services have the most significant opportunities. All security products are imported and there's no local production. Import taxes for these products range from 0 to 15 percent plus the VAT of 12 percent.

CS Guatemala is in constant contact with security and safety equipment importers as well as the Security Chamber of Guatemala, to keep track of market trends, and importers interested in U.S. made products. CS promotes and sends a delegation of importers each year to the ISC Expo in Las Vegas, Nevada.

### **Resources**

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Secretariat for the Central American Economic Integration : [www.sieca.org.gt](http://www.sieca.org.gt)  
Guatemalan Government Purchasing Website : [www.guatecompras.gt](http://www.guatecompras.gt)  
Security Chamber of Guatemala : [www.camaradeseguridad.com.gt](http://www.camaradeseguridad.com.gt)

## Travel and Tourism (TRA)

### Overview

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Inbound travelers to the U.S. by Guatemalans in 2009 numbered over 204,300. According to U.S. Customs and Border Protection figures, 71 percent of this total were travelers who entered the U.S. for tourism and 22 percent traveled for business.

At least half of Guatemalan travelers choose the United States as their top destination for tourism. Destinations such as Los Angeles, Miami, Orlando, New York and Chicago continue to be among those with greater demand, due to geographical proximity, facility to take a direct flight, the belief that they offer the best family entertainment experience, and/or because family and friends live in these locations.

Growing destinations for Guatemalan visitors are Boston, Massachusetts; Texas; Las Vegas, Nevada; Washington, DC; San Francisco, California; and Atlanta, Georgia. Business people or attendees to trade events constitute an important category among travelers as well. Guatemalans distinguish themselves by taking advantage of the opportunities they have while traveling. If they are out on business, Guatemalans will also take time to visit the city's attractions.

Airlines serve the Guatemalan market with over 70 direct flights per week to the United States. The following airlines offer daily non-stop flights from Guatemala to the United States: American Airlines, Continental Airlines, Delta Airlines, Spirit and TACA. Other airlines also service the Guatemalan market offering flights to the U.S. and multiple destinations, for example: Copa Airlines, Aeromexico, AirFrance, Iberia, Interjet and Mexicana.

Carriers offer flights to Atlanta, Chicago, Fort Lauderdale, Dallas, Houston, Los Angeles, Miami, New York, Orlando and Washington DC. The duration of these flights range from two to four hours maximum, which makes it very attractive for Guatemalans to plan their vacations or business trips to a location that they may reach in a matter of hours. From these major cities, airlines offer a huge number of connections to the rest of the United States and to the world.

### Best Prospects/Services

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Sectors within the U.S. Travel and Tourism market that are considered best prospects are:

- family attractions
- family friendly hotels
- shopping venues (Outlets, which are very popular destinations for this market)
- entertainment shows
- sports events
- cruise trips

Many Guatemalans look forward to sending their children to enhance their English speaking skills through exchange programs. There is also a market for Colleges and Post graduate schools to offer their programs to Guatemalan students.

## Opportunities

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CS Guatemala is active in promoting U.S. Travel and Tourism destinations. CS actively supports the Visit USA Committee's activities in the country, recruits delegations to attend important tourism trade events such as "Pow Wow" and "La Cumbre", and maintains active contacts with the local media in order to feed them information on U.S. destinations for later distribution, printing and/or advertising.

The Visit USA Committee in Guatemala organizes a targeted International Trade Show every year to promote the U.S. as a travel and tourism destination. Airlines, hotels, car rentals, insurance companies, cruise lines, U.S. Convention and Visitors Bureaus, and U.S. Tourism Offices are among the main exhibitors. Interested parties may contact Ms. Ana Polanco ([ana.polanco@mail.doc.gov](mailto:ana.polanco@mail.doc.gov)) at the U.S. Commercial Service Office in Guatemala to find more information on this event which takes place in early August each year.

## Resources

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- U.S. Travel Association: [www.tia.org](http://www.tia.org)
- Visit USA Committee Guatemala: <http://visitusaguatemala.org/visitusa.asp>
- US Commercial Service in Guatemala: [www.buyusa.gov/guatemala](http://www.buyusa.gov/guatemala)



## Agricultural Sectors

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## Apples

### Overview

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<i>Tariff Code 080810</i>	<i>Value (in million USD)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009 (est)</i>
Total Exports	0.4	0.3	0.2
Total Imports	13.0	12.6	14.9
Imports from the U.S.	7.2	7.2	8.6

Under CAFTA-DR, U.S. apples now enter duty-free and without quotas. U.S. apples are competitive with those imported from Chile, which is the second largest exporter of apples to Guatemala. In November 2009, Guatemala ratified the Free Trade Agreement with Chile and this could lead to increased imports of Chilean apples in 2010. Apple distributors are very aggressive in their marketing strategies, and make the product available in supermarkets and open-air markets for most of the year.

Generally, in the Central American markets, two or three importers dominate each market. Importers sell to retailers and wholesalers, and street vendors buy their apples in the open wholesale market. Approximately 70 percent of U.S. apples are sold by retailers and 30 percent in street markets. Apple importers have to pay an additional Q 0.01 (Q=quetzal; one quetzal equals approximately USD 0.12) per pound on imported apples, which is directed to the local growers' cooperative.

### Best Products/Services

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The most popular imported varieties include Red Delicious, Granny Smith, Fuji, and Gala.

### Opportunities

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Most U.S. Cooperators (U.S. agricultural export associations supported by USDA) lump Guatemala together with the rest of Central American countries, into one marketing region because these countries share cultural similarities, Spanish is the first language, and they have the same peak sales periods. All are serviced by only two or three importer/buyer groups. Most consumer activities are done at the point of purchase. Activities are exemplified by in-store sampling, chef demonstrations and the displaying of point of sale materials, although a small public relations and advertising program exists to gain additional visibility, primarily during the Christmas and New Year's season. The implementation of back to school promotions in January has proved to be an effective strategy which has helped maintain apple preference at the retail level and increase sales in the Guatemalan market.

### Resources

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U.S. Department of Agriculture  
Foreign Agricultural Service in Guatemala: [www.fas.usda.gov](http://www.fas.usda.gov)

Exporter Guide 2009: [www.fas.usda.gov/scriptsw/attacherep/default.asp](http://www.fas.usda.gov/scriptsw/attacherep/default.asp)  
FAIRS Report 2009: [www.fas.usda.gov/scriptsw/attacherep/default.asp](http://www.fas.usda.gov/scriptsw/attacherep/default.asp)  
Statistical information: [www.sieca.org.gt](http://www.sieca.org.gt)

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## Beef

### Overview

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<b>Tariff Code 0201/0202</b>	<b>Value (in million USD)</b>		
	2007	2008	2009 (est.)
Total Exports	2.2	3.3	4.4
Total Imports	14.0	13.5	15.4
Imports from the U.S.	5.1	5.3	8.3

CAFTA-DR implementation opened the market for prime and choice beef cuts given their duty-free access status. Guatemala continues in the process of acquiring export certification to the United States market; therefore, local production is consumed domestically and exported to other Central American countries. Local production is of irregular quality and supply, which is a problem for hotels and fine restaurants, which need a consistent supply of high-quality beef. The U.S. Meat Export Federation (USMEF) is working closely with distributors and Hotel Restaurant and Institutional (HRI) outlets to raise awareness about U.S. beef value cuts as an alternative to lower cost and lower grade meats.

### Best Products/Services

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High quality meat cuts (choice and prime) are imported duty-free throughout the CAFTA-DR region and are an important source of meat for hotels, restaurants, and upscale consumers. Also, beef variety meats are largely consumed by the middle and upper classes. This creates an opportunity to increase sales of these low-value commodities.

### Opportunities

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The U.S. Meat Export Federation has implemented an educational program addressed to the major Guatemalan foodservice companies that sell high-quality meat cuts to the hotel and restaurant sectors. This program includes learning about the profitability of U.S. beef value cuts by leveraging consumers' positive perception of U.S. brands.

### Resources

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- U.S. Department of Agriculture  
Foreign Agricultural Service in Guatemala: [www.fas.usda.gov](http://www.fas.usda.gov)
- Exporter Guide 2009: [www.fas.usda.gov/scripts/attacherep/defaults.asp](http://www.fas.usda.gov/scripts/attacherep/defaults.asp).
- FAIRS Report 2009: [www.fas.usda.gov/scripts/attacherep/default.asp](http://www.fas.usda.gov/scripts/attacherep/default.asp)
- Statistical information: [www.sieca.org.gt](http://www.sieca.org.gt)

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## Poultry

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<i>Tariff Code 0207</i>	<i>Value (in million USD)</i>		
	<i>2007</i>	<i>2008</i>	<i>2009 (est.)</i>
Total Exports	4.6	4.6	6.0
Total Imports	42.2	39.1	38.5
Imports from the U.S.	38.7	31.1	35.7

Guatemala is a major importer of U.S. poultry and is one of the three main markets in the region. It imposes few import restrictions on poultry, and imports large amounts of U.S. brand-name frozen chicken cuts. Under CAFTA-DR, tariffs are being phased out within 5 years to 10 years, depending on the product. The exception is chicken leg quarters (CLQ), which enter duty-free under a tariff-rate quota (TRQ) and have an out-of-quota duty of up to 164.4 percent. However, bowing to domestic pressure, Guatemala set the out-of-quota duty in 2006 at only 15 percent, in contrast to the other CAFTA-DR countries which set the CLQ tariff at the allowed maximum rate.

### Best Products/Services

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Chicken leg quarters represent an inexpensive, popular meat that is largely imported from the United States since the domestic industry cannot meet the demand. Also, there is a market for U.S. exports of mechanically deboned meat (MDM) to Guatemala for the food processing industry to produce sausages, franks, and other processed meats.

### Opportunities

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Other value-added products such as nuggets, sausages and chicken patties have good prospects in Guatemala. While these products are already available in supermarkets and are increasing in popularity with consumers, there is still much potential to be tapped. U.S. poultry products are very price competitive.

### Resources

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- U.S. Department of Agriculture  
Foreign Agricultural Service in Guatemala: [www.fas.usda.gov](http://www.fas.usda.gov)
- Exporter Guide 2009: [www.fas.usda.gov/scripts/attacherep/defaults.asp](http://www.fas.usda.gov/scripts/attacherep/defaults.asp).
- FAIRS Report 2009: [www.fas.usda.gov/scripts/attacherep/default.asp](http://www.fas.usda.gov/scripts/attacherep/default.asp)
- Statistical information: [www.sieca.org.gt](http://www.sieca.org.gt)

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## Pork

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<b>Tariff Code 020329</b>	<b>Value (in million USD)</b>		
	2007	2008	2009 (est.)
Total Exports	3.7	3.0	3.0
Total Imports	7.6	7.9	9.2
Imports from the U.S.	6.9	6.7	8.0

### Best Products/Services

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U.S. pork is recognized by consumers as being safe and healthy in comparison to locally produced pork. In 2009, Guatemala was declared free of classical swine fever and therefore, the local pork producers association, APOGUA, continues with pork promotional campaigns to increase the per capita pork consumption by emphasizing the benefits of pork meat as a daily protein source. This campaign is complimentary to USMEF's promotional activities which are targeted to end consumers and designed to highlight U.S. pork as safe and healthy. USMEF has worked with one of the four largest importers in Guatemala to identify market opportunities for some of the alternative cuts and variety meats through educational efforts which have introduced more than 40 different pork cuts.

### Opportunities

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Most of the U.S. pork imported into Guatemala is destined for the processing sector and is used as a raw material by the local processing industry to produce sausages, chicharrones, hot dogs and hams. Other pork variety meats are largely consumed by middle and upper classes. This creates an opportunity to increase sales of these low-value commodities.

Pork variety meats are consumed as a protein source and therefore, there is an opportunity to add value to these products through packaging and cut specifications. In addition, there are opportunities for U.S. pork feet and jowls that are consumed by medium-low and medium income groups in the country.

### Resources

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- U.S. Department of Agriculture in Guatemala: [www.fas.usda.gov](http://www.fas.usda.gov)
- Exporter Guide 2009: [www.fas.usda.gov/scripts/attacherep/defaults.asp](http://www.fas.usda.gov/scripts/attacherep/defaults.asp).
- FAIRS Report 2009: [www.fas.usda.gov/scripts/attacherep/default.asp](http://www.fas.usda.gov/scripts/attacherep/default.asp)
- Statistical information: [www.sieca.org.gt](http://www.sieca.org.gt)

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## Grapes

### Overview

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<b>Tariff Code 080610</b>	<b>Value (in million USD)</b>		
	2007	2008	2009 (est.)
Total Exports	0	0	0
Total Imports	13.0	11.6	13.2
Imports from the U.S.	10.5	9.2	10.7

Under CAFTA-DR, U.S. grapes now enter duty-free and without any quotas. Exports of California grapes to Central America (Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua) reached the second all-time high in a row in volume terms, and the sixth record year high in a row in value terms in 2008. The United States continues to be the largest supplier of grapes to Guatemala followed by Chile, which recently signed a Free Trade Agreement with Guatemala and will become a stronger competitor with the United States. From January to October, retailers handle sixty percent of the fresh fruit sales in the country. In November and December, street vendors and central markets handle sixty percent of the fresh fruit sales, and retailers handle the rest.

### Best Products/Services

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The most popular varieties imported into the country are Autumn Royal, Red Globe and Thompson seedless grapes. U.S. exports of grapes continue to have great growth potential in the Guatemalan market.

### Opportunities

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The health attributes of grapes continue to be a motivator in consumer purchases and will continue to be used in the marketing activities in Guatemala. To increase consumer purchases, all promotional activities, including samplings of the products to encourage consumers to taste the grapes, should be carried out at the point-of-sale to emphasize the good quality of a U.S. origin product. In-store promotions increase product turnover and also provide the retailers with increased confidence in handling larger volumes.

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- U.S. Department of Agriculture  
Foreign Agricultural Service in Guatemala: [www.fas.usda.gov](http://www.fas.usda.gov)
- Exporter Guide 2009: [www.fas.usda.gov/scripts/attacherep/defaults.asp](http://www.fas.usda.gov/scripts/attacherep/defaults.asp)
- FAIRS Report 2009: [www.fas.usda.gov/scripts/attacherep/default.asp](http://www.fas.usda.gov/scripts/attacherep/default.asp)
- Statistical information: [www.sieca.org.gt](http://www.sieca.org.gt)

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## Rice

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<b>Tariff Code 100610</b>	<b>Value (in million USD)</b>		
	2007	2008	2009 (est.)
Total Exports	2.3	2.8	2.8
Total Imports	26.6	36.4	45.1
Imports from the U.S.	26.5	35.9	44.3

Rice imports have been increasing in the last few years in response to the growth of marketing programs and joint activities among the Guatemalan Rice Association, the USA Rice Federation and U.S. Rice Producers Association. The rice that is imported into Guatemala is rough rice and is fortified in-country. Under CAFTA-DR, rough rice was assigned a 0 percent tariff under a TRQ that increases 4 percent annually.

### Best Products/Services

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Rough rice is principally imported. Guatemala exports rice to El Salvador and Honduras.

### Opportunities

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In the area of food service, the primary marketing target should be restaurant owners and chefs since they need to clearly recognize the value and profitability of using quality U.S. rice in their menus. There are ample opportunities to increase the demand for rice in a country of 14 million where consumption of rice is one of the lowest in the region (approximately 12 kilos per capita consumption per year.)

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- U.S. Department of Agriculture  
Foreign Agricultural Service in Guatemala: [www.fas.usda.gov](http://www.fas.usda.gov)
- Exporter Guide 2009: [www.fas.usda.gov/scriptsw/attacherep/defaults.asp](http://www.fas.usda.gov/scriptsw/attacherep/defaults.asp).
- FAIRS Report 2009: [www.fas.usda.gov/scriptsw/attacherep/default.asp](http://www.fas.usda.gov/scriptsw/attacherep/default.asp)
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## Processed Foods

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This is one of the fastest growing sectors in Guatemala, offering U.S. food exporters huge opportunities to capture market share by supplying raw materials. Most food processors import their ingredients directly, others rely on importers and distributors to get their raw materials, and some buy their inputs from the local market. The advantage that processors find in buying their raw materials from local suppliers is that more technical assistance is provided and more options for financing are available to them.

### Best Products/Services

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Deli meats: Mechanically deboned meat (MDM); boneless picnic; pork bellies, trimmings and offal; flours (fillers)

Beverages: Fruit concentrates and nectars; drink bases and syrups; soy flakes and soy powder; artificial fruit flavors

Baking: Pancake mixes; pre-mixes; bulk cake flours

Snacks: Dehydrated potato flakes and powder; soy flakes; nuts; fruit fillings; raisins; pork skin pallets; whey powder, protein concentrates

Soups and Broths: Dehydrated potato flakes and powder; soy flakes; dehydrated vegetables; condiments

U.S. products such as beef, pork, wheat, soybeans, and vegetables, as well as other food items, can easily be introduced to improve the quality of the goods being processed in the above-mentioned sectors. Many of these plants already use U.S. raw materials. However, there are still many opportunities.

### Opportunities

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Local processors are increasing their capacity to export to the U.S. as a result of CAFTA-DR. As Guatemalan consumers become more sophisticated, opportunities for higher value added products increase. Many local companies are taking advantage of their lower costs to fill market niches normally filled by imported products.

### Resources

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- U.S. Department of Agriculture, Foreign Agricultural Service in Guatemala: [www.fas.usda.gov](http://www.fas.usda.gov)
- Exporter Guide 2009: [www.fas.usda.gov/scriptsw/attacherep/defaults.asp](http://www.fas.usda.gov/scriptsw/attacherep/defaults.asp).
- FAIRS Report 2009: [www.fas.usda.gov/scriptsw/attacherep/default.asp](http://www.fas.usda.gov/scriptsw/attacherep/default.asp)
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## Chapter 5: Trade Regulations and Standards

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- [Import Requirements and Documentation](#)
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### Import Tariffs

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Guatemala applies the common external tariff schedule of the Central American Common Market (CACM), which ranges from zero to 15 percent for most agricultural and industrial goods, though there are exceptions of up to 40 percent for alcoholic beverages and up to 20 percent for cigarettes with tobacco content, various types of vehicles, and firearms. The average applied rate on all products is approximately 2.7 percent.

Since implementation of CAFTA-DR (see [Trade Agreements](#)), about 80 percent of U.S. industrial and commercial goods entered Guatemala duty free. Effective January 1, 2010, consumer and industrial goods phased under Category B shall be duty free, according to the CAFTA-DR Agreement tariff phasing out periods. The remaining tariffs on industrial and consumer goods will be eliminated within ten years after implementation or 2015.

As a result of the duty free treatment for the Category B goods, the market is now open to 90 percent of U.S. goods to enter Guatemala without import tax. Some products phased under this Category are human and veterinary consumption medicines, fish meat, berries, chocolate bars, zinc laminates, plywood, bond and metallic paper, doors, aluminum windows and wines, for example. These goods were paying duties between 5 to 15 percent prior to 2010.

Nearly all textiles and apparel goods that meet the rules of origin of CAFTA-DR now enter Guatemala duty-free and quota-free promoting new opportunities for U.S. and Central American fiber, yarn, fabric and apparel manufacturers.

Guatemala fully complies with its World Trade Organization (WTO) tariff bindings. Tariffs of 0, 5, 10, and 15 percent are applied to food and agricultural products. Tariffs and tariff rate quotas (TRQs) for 2010 were officially published in the Guatemalan official newspaper ("Diario de Centro America") in December 2009.

Guatemala is in full compliance with its commitments to food and agricultural products under CAFTA-DR. Most fruits, nuts, processed foods, vegetables and feeds were granted immediate duty-free access. The majority of other agricultural products will have their duties eliminated by 2020, depending on the product (2023 for rice and chicken leg quarters and 2025 for dairy products).

Even though CAFTA-DR allows the Guatemalan Government (GOG) to set the out of quota tariff for chicken leg quarters at 164.4 percent, which Honduras, El Salvador and Nicaragua have done, the GOG has retained the previous 15 percent tariff since the implementation of CAFTA-DR.

### **Tariff-rate Quotas (TRQs)**

CAFTA-DR set TRQs on 12 products and product categories. The Administration of Foreign Commerce (DACE) from the Ministry of Economy implemented a well functioning system for distributing quotas and reporting on quota allocations. DACE has a website (<http://www.mineco.gob.gt/Presentacion/direccionAdminComEx.aspx>) with updated information on quota allocation procedures, advisory committee meetings, and quota utilization status by commodity.

The table below presents information on quota assignment and use by commodity. “Volume” is the CAFTA quota for the entire year. “Used” is the percentage of the TQR used. All volumes are in metric tons. Please note that CAFTA-DR went into effect in Guatemala on July 1, 2006 – therefore quotas for 2006 were not fully utilized.

Table 2  
TRQ Use in Guatemala since CAFTA-DR Implementation

<i>GUATEMALA TRQ USE</i>						
	2007		2008		2009	
Commodity	Volume	Used	Volume	Used	Volume	Used
	(MT)	(%)	(MT)	(%)	(MT)	(%)
Rough Rice	57,200	92	59,800	81	62,400	58
White Rice	11,000	56	11,500	52	12,000	33
Beef	1,120	2	1,180	4	1,240	4
Pork	4,345	73	4,543	71	4,740	93
Chicken Leg Quarters	21,810	81	20,494	N/A	19,179	N/A
Ice Cream	168	12	176	122	185	36
Milk	420	51	441	66	463	41
Yellow Corn	550,000	88	575,000	83	600,000	82
White Corn	20,800	100	21,200	89	21,600	104
Butter	105	0.0	110	50	116	134
Other Dairy Products	191	0.0	201	0	211	0
Cheese	473	44	496	52	521	71

TRQ use shows interesting patterns according to commodity. In general, yellow corn, and white corn volume use has remained steady throughout the past three years.

TRQ use for rice, both rough and white have been experiencing constant drop. The above suggests an overestimate of the demand at the beginning of the CAFTA-DR implementation.

TRQ use for pork, butter, and cheese has shown significant increases. The pork TRQ more than doubled from 2006 to 2007. Ice cream TRQ use was roughly 8 percent in 2006, increasing to 12 percent in 2007 and surpassing the total volume assigned for 2008, but dropped dramatically in 2009. This shows, in average, a considerable acceptance of U.S. product, taking into account the competitiveness of Costa Rican products. A similar story can be seen with the TRQ for powdered milk, which increased from 18 percent in 2006 to 66 percent in 2008. Butter showed a very significant increase in its TRQ use in 2008, when 50 percent of the quota was filled, taking into account that previously none had been used, and has kept its increase. Cheese TRQ use has been growing significantly as well, from 14 percent in 2006 up to 71 percent in 2009. Unfortunately, the TRQ for other dairy products has not been used yet, mainly due to more competitive prices of Costa Rican (Dos Pinos brand), Honduran (Sula brand) products, and Mexican (Lala).

A problem across the board continues to be the number of importers failing to request a Certificate of Free Sales and Origin from their U.S. suppliers. The Guatemalan - American Chamber of Commerce and local Superintendency of Tax Administration (SAT) authorities are training importers on this. Importers need to make sure their Certificates of Origin from the U.S. are completely filled out as the Embassy has seen products held up due to preference reasons not fully stated.

## Trade Barriers

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Exporters to Guatemala enjoy an increasingly open trade regime. Imports are generally not subject to non-tariff trade barriers, though there are occasional cases of arbitrary customs valuation and bureaucratic obstacles. However, the Government of Guatemala officially implemented the WTO Customs Valuation Agreement on August 10, 2004, which eliminated the use of minimum import values effective November 22, 2004. Implementation of CAFTA-DR (see [Trade Agreements](#)) has helped to remove tariff and non-tariff barriers to trade. The Agreement requires transparency and efficiency in administering customs procedures, including rules of origin, and it includes a dispute resolution mechanism that provides an alternative to Guatemala's problematic and slow moving judicial system. For more information on trade and investment barriers, please read the annual National Trade Estimate Report on the [www.ustr.gov](http://www.ustr.gov) website.

Guatemala requires a Certificate of Free Sale for all food products, including raw materials of animal or vegetable origin. This certificate is not readily available in the U.S. for non-processed products and has become an inconvenience for many exporters, which have to scramble to find an agency that will issue it. The U.S. generally issues the Free-Sales Certificate only for processed foods for human consumption, but the GOG requires it even on animal feed ingredients and agrichemicals. The Certificate of Free Sales for Processed Products is also a barrier considering that it must come from origin (producing/manufacturing country), and must be issued in original for each product accepting legalized copies for those products which come in the same shipment from the same supplier. An original must accompany the shipment, along with notarized copies (either in the U.S. or in Guatemala) to be filed with each registration.

Fortification – Guatemala requires that three products be fortified before they are approved for retail sale. Imported flour must be fortified with riboflavin, folic acid, niacin, iron and thiamine. Imported salt must be fortified with iodine, and imported sugar with vitamin A. The GOG applies these same fortification requirements to domestic products.

Samples - Guatemalan law prohibits the importation of samples over a certain weight, unless they are specifically sent for the purpose of product registration. At the same time, the law specifies that all processed food products must be registered before they enter the country. This limits the opportunity for possible buyers to sample new products and to test their market potential; it also restricts the presence of U.S. samples in Guatemalan trade shows. The cost of registering a new product is about USD 200 per item and takes 72 hours for low-risk products and one month for high-risk products (animal products). Again, small samples up to 25 kilos are allowed.

## **Import Requirements and Documentation**

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The Guatemalan Government introduced an automated electronic customs clearance system in 2001. This system has created increased transparency in the procedure, but it has also created problems. When the computer reads that the imported product is of animal or plant origin, it will automatically require that the following documents accompany the entry application: bill of lading, phytosanitary or sanitary certificate, certificate of origin, free sale certificate, packing list, commercial invoice, microbiological certificate, and import permit. As previously mentioned, the Food Safety Inspection Service (FSIS) export certificate is officially accepted for importing meat and poultry products. All documents must be originals. Below is the procedure to acquire the import certificate and the order in which to proceed.

1. The procedure must begin at the Ministry of Agriculture. All imported products of animal or vegetable origin are inspected by the “ventanilla unica” (“single window”) for the Unit of Norms and Regulations (UNR). The documents required are: phytosanitary or sanitary certificate or FSIS export certificate (for meat & poultry products), commercial invoice, bill of lading, certificate of free sale, packing list, and certificate of origin (applied for re-export products). In most cases, a microbiological certificate is also required. These may be copies, but in order to clear customs, the originals will be needed. An application form with the above mentioned forms must be submitted along with a fee of Q100, about USD 12.50, in order to receive an import permit. It is best to drop off applications before 10:00 am; if the shipment is perishable, the license will be ready for pick-up after 2:00 p.m. For all regular shipments the license will be issued within 24 hours. This time frame usually holds if there are no problems with the documentation.

2. For processed foods and all products of animal origin, Norms and Regulations will require that the application be signed and stamped by Food Control. This is done to verify that the product has a Sanitary Registration number. In addition, Food Control will also require a Free Sale Certificate in order to process the request. These certificates are generally issued by state health or agricultural departments, and indicate that the products are free for human consumption. For non-processed foods, Food Control will require a Sanitary Certificate. The application and certificates are received and issued in the offices of Food Control (5a. Avenida 13-27, Zona 9, Guatemala City), office hours from 07:30 a.m. to 3:00 p.m. from Monday to Friday.

3. Food Control and Norms and Regulations will authorize the import permit and the product will be inspected by the Regional International Agricultural/Livestock Organization (OIRSA). This is a regional inspection entity in Central America that has been delegated the responsibility of food safety by all the Central American countries. Whether the imported product comes by air, land or sea, inspectors from OIRSA will be on site to assure that the paper work is in order. Then, inspectors perform a visual inspection of the imported products in order to authorize release from Customs. In order to clear OIRSA, the original documents must be presented.

After the import certificate has been issued, this document is provided with all the above-mentioned documents to the customs official. The importer then pays the duties to the Superintendency of Tax Administration (SAT). The CAFTA-DR Certificate of Origin ([http://dace.mineco.gob.gt/mineco/cafta/doctos\\_cafta/Certificado%20de%20Origen%20DR-CAFTA%20.pdf](http://dace.mineco.gob.gt/mineco/cafta/doctos_cafta/Certificado%20de%20Origen%20DR-CAFTA%20.pdf)) must accompany the shipment in order to take advantage of any preferential duty. Duty payment is done in the form of a deposit at either of the two approved banks, and the deposit slip becomes the proof of payment. After all this has been done, the shipment will be released. This final procedure is done at port of entry. There is still a possibility of a red light at the exit gate of the container. If a red light is received, there will be an additional review of both documentation and contents of the container. If a green light is received, the container is allowed to leave the yard.

The clearing process is done electronically; however, at the final stage all the documentation needs to be handed over to the customs agent (in originals) so that the shipment is released.

It is important that all quantities in all of the documents match. If not, Customs clearance will be a major problem. Do not add boxes to a container once the documentation has been totaled, and always make sure that the total value listed on the phytosanitary or sanitary certificate equals the exact amount on the invoice. If there is any discrepancy, the container will be held and clearance will be extremely difficult to obtain.

U.S. exporters must always take into account that a tariff-rate quota (TRQ) system still applies to various commodities, with a 5 to 20 year phase-out period under CAFTA-DR. If you wish to check on a particular product, visit [www.fas.usda.gov/info/factsheets/CAFTA/overall021105a.html](http://www.fas.usda.gov/info/factsheets/CAFTA/overall021105a.html). Please visit the Foreign Commerce Administration Directorate (DACE) at the Ministry of Economy web site for detailed information on TRQ administration for Guatemala: ([http://dace.mineco.gob.gt/mineco/tlc/Contingentes/conting\\_cafta.html](http://dace.mineco.gob.gt/mineco/tlc/Contingentes/conting_cafta.html)). To consult and follow up on approved and assigned quotas per year, visit the Ministry of Economy's website: <http://dace.mineco.gob.gt/seleccioncontingentes.php?idtratado=5>.

### Medical Devices and Pharmaceutical Products

The Ministry of Health issues import permits for medical devices and pharmaceutical products.

Some medical devices require an inscription (registration) at the registration office of the Ministry of Health. These inscriptions need to be renewed every five years.

Devices that require an inscription are those that cut the skin or a membrane or touch blood, such as syringes or devices that use a finger prick.

Devices, such as anesthetics and asthmatic inhalers, high pressure measuring apparatus, laser-guided apparatus and others do not require an inscription. These would be classified under medical equipment and supplies and undergo normal customs clearance procedures.

#### Registration Requirements:

- Form F-MC-g-011 has to be filled out in original and duplicate, in the following order:
- Product formula and composition (mention both common and scientific names: (use form F-JE-d-007)
- Sanitary license, valid or prior license (usually from FDA or PAHO)
- Legalized copy of the Trade Mark registry
- Free Sale Certificate from the country of origin; CBL approved by a recognized organization such as the OMS
- Monograph study, when it is a new product
- Product description
- Product specifications
- Method of analysis used
- Packaging materials used (a sample), originals and copy
- Instructions on label in Spanish
- Copy of contract (in case of manufacture under drawback or maquila law)
- Stability study for products with 24 months life expectancy or more, according to product
- Samples
- Bio-equivalence study, when applied
- Standard of raw material of active principle/s for new molecules
- Copy of the Sanitary License of the local distributor
- All foreign documents have to be legally translated

For more information please refer to:

Dirección General de Regulación, Vigilancia y Control de la Salud,  
Depto. Regulación y Control de Productos Farmacéuticos, Higiénicos, Quirúrgicos y  
Cosméticos

Address: 3<sup>a</sup>. Calle final 2-10 Zona 15 VH  
01015 Guatemala

Tel: [502] 2365 6257

Fax: [502] 2365 6252

Contact: Licda. Idania Maribel Muñóz

E-mail: -

Web page: [www.mspas.gob.gt](http://www.mspas.gob.gt)

#### **U.S. Export Controls**

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The U.S. Government requires firms to obtain an export permit to export all arms, ammunition and related products to Guatemala. For more information, U.S. exporters should contact the Bureau of Industry and Security (BIS) at the U.S. Department of Commerce, Ph.: (202) 482-4811 or the Trade Information Center: 1-800-USATRAD. A new law on firearms was passed in March 2009 and there are new requirements for



firearm possession in Guatemala. For more information on the law, go to:  
[www.digecam.mil.gt](http://www.digecam.mil.gt)

### **Temporary Entry**

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Guatemala's 1989 drawback and export promotion law allows duty and tax free entry of raw materials, intermediate products, packaging and labels used in the production or assembly of merchandise exported to markets outside of Central America. Some exporters, however, complain that the local tax administration, SAT, asks for payments in order to process these drawback refunds.

### **Labeling and Marking Requirements**

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Please see Labeling and Marking Section under "Standards" later in this chapter.

### **Prohibited and Restricted Imports**

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The Guatemalan Ministry of Defense's Department for the Control of Arms and Munitions (DECAM) enforces a law which virtually prohibits the import of offensive weapons, as well as a range of military weapons and hardware except for use by the Guatemalan government.

Pseudoephedrine and any products containing pseudoephedrine are banned from importation or sale within Guatemala as of April 2009.

#### Food products

COGUANOR maintains a list of additives that are permitted for use in food products. The Codex Alimentarius food additives list was used in creating the Guatemalan regulations. However, all new additives accepted by the Codex Alimentarius are not automatically accepted by COGUANOR. COGUANOR requires a vote by the Executive Advisory Committee to add a new additive to the list. This process takes approximately six months, but it is extremely rare to have an ingredient that is permitted in Codex Alimentarius not accepted by COGUANOR. Under the Central America Customs Union, efforts are being made to accept FDA additive standards for U.S. products.

Generic names of the additives plus specific names are required. Example: citric acid used as antioxidant. All functional additives must be declared according to COGUANOR norms. Sulfite is declared both as an additive as well as an allergen when it is present in concentrations of 10 mg/kg or higher.

The Technical Directorate of Plant Health of MAGA, (Plant Health), regulates pesticides. The Office of Vegetable Health was established by Government Decree # 43-74 and regulates all agriculturally related chemical use by authority of Ministerial Decree 377-90. There are no Guatemalan standards for tolerance levels of pesticides in food products. The Government of Guatemala accepts the tolerance-level standards developed by Codex Alimentarius. Plant Health maintains a list of pesticides that are not permitted in Guatemala. This list is based on standards set by the Environmental Protection Agency (EPA), Codex Alimentarius, and the United Nations Food and Agriculture Organization (FAO), among others. All pesticides must be registered with Plant Health.

## Customs Regulations and Contact Information

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For information on Customs Regulations and a list of Business Service Providers in Guatemala, please refer to the following website:

<http://www.buyusa.gov/guatemala/en/guatemalanserviceproviders.html>, or contact Commercial Service in Guatemala's offices at 011-502-2334-3147.

## Standards

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## Overview

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The National Standards Commission (COGUANOR) was created in Guatemala in 1962 under the direction of the Ministry of Economy under Decree # 1523. The National Standards Commission is responsible for developing standards to encourage the development of agricultural, commercial and industrial activities. COGUANOR was also established to create a favorable environment for fair competition and equitable relations between producers and consumers.

Companies or individuals interested in establishing or revising a particular standard may submit a request to COGUANOR. Specifically, it is COGUANOR's Technical Working Committee's (CCT), interdisciplinary groups made up of representatives from organized public, private, academic-scientific, and consumer sectors, which are in charge of drafting and revising national standards.

National standards drawn up by COGUANOR come into effect once they are approved by the government's executive branch and are published in the *Diario de Centro America*, the national gazette.

## Standards Organizations

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COGUANOR is empowered to direct and coordinate national policy regarding the setting of standards. Through the Ministry of Economy, it proposes the modification of current standards and the adoption of new standards to the government's executive branch, and oversees the application of adopted standards. Its technical committees are responsible for reviewing standards when necessary. COGUANOR also maintains communication with regional and international standards organizations.

COGUANOR is governed by an executive advisory committee, which is made up of representatives from the Ministry of Health, Ministry of Economy, Ministry of Labor, the College of Engineers, and the Chambers of Agriculture, Industry and Commerce.



The Commission oversees two forms of national standards: a) NGR – Recommended Guatemalan Standards and b) NGO – Required Guatemalan Standards. NGR standards refer to quality standards relating to the production and sale of goods. NGR standards are mandatory for government entities.

According to Government Decrees 182-2000, 145-2002, and 57-2003, COGUANOR, the National Center of Metrology and the Guatemalan Accreditation Office (OGA) together form the National Quality Systems Directorate.

### **NIST Notify U.S. Service**

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries.

**Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL:

<http://www.nist.gov/notifyus/>

## **Conformity Assessment**

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The Guatemalan Consumer Service and Support Board (DIACO) was created in 1995. In December 2003, Government Decree 777-2003 added a Testing and Inspection Department to DIACO. This department is responsible for investigating compliance with the legal requirements of COGUANOR and international treaties ratified by Guatemala.

When the United States and Central America launched the free trade agreement negotiations, they initiated an active working group on Sanitary and Phytosanitary Standard (SPS) barriers to agricultural trade that met in conjunction with the negotiations to facilitate market access. The objective was to leverage the trade negotiations to seek changes to the Central American countries' SPS regimes. Through the work of this group, Guatemala has committed to resolving specific measures which affect U.S. exports to Guatemala. In particular for meat, poultry and dairy, Guatemala will recognize the equivalence of the U.S. food safety and inspection system, thereby eliminating the need for plant-by-plant inspections. For distilled spirits, U.S. industry welcomed the trade facilitating initiative of the five Central American countries, including Guatemala, to develop common standards for distilled spirits products. However, outstanding concerns remain over issues such as alcohol content, brand registration and certification requirements.

## **Product Certification**

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Any commercially-sold food products imported into Guatemala must present a phytosanitary and/or zoo-sanitary certificate, certificate of origin, commercial invoice, free sale certificate and bill of lading to receive an import license. Effective July 2006, in accordance with Article 3.10.2 of CAFTA-DR, the Guatemalan authorities at the Ministry of Health and Ministry of Agriculture no longer require that commercial invoices, bills of lading, certificates of free sale, sanitary and microbiological certificates and product-specific laboratory testing for pathogens of products exported to Guatemala be authenticated at the Guatemalan Embassy or one of its Consulates in the United States. All documents can be written in English. In addition, all packaged food products require

product registration from the Division of Registration and Control of Medicines and Foods and must obtain a sanitary import certificate from the Ministry of Health.

Guatemalan norms regarding food additives are based on the Codex Alimentarius' food additives list. Any additives for placement on this list must be approved by COGUANOR's executive advisory committee. The approval process can take six months or longer.

Pesticides are regulated by the Technical Directorate of Vegetable Health of the Ministry of Agriculture. They maintain a list of prohibited pesticides. See [www.maga.gob.gt](http://www.maga.gob.gt) for details.

Guatemala has been a correspondent member of the International Organization for Standardization (ISO) since 1997, meaning that Guatemala does not actively participate in the development of policies and standards, but is kept fully informed of such developments.

## Accreditation

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The Guatemalan Accreditation Body (OGA) was established in May 2002 by Government Decree 145-2002 as a technical unit of the Quality Systems Directorate within the Ministry of Economy. OGA oversees accreditation throughout the nation and grants formal approval to Guatemala's various other conformity assessment bodies, including:

- Testing and Calibration Laboratories (ISO/IEC 17025 Standard)
- Quality Management Systems (ISO/IEC Guide 61)
- Environmental Management Systems (ISO/IEC Guide 66)
- Products (ISO/IEC Guide 65)
- Inspection Bodies (ISO/IEC 17020 Standard)

OGA is a full member of the Inter-American Accreditation Cooperation (IAAC), created in 1996, consisting of various accreditation agencies from 20 Western Hemisphere countries. OGA is also a member of the International Accreditation Forum (IAF), an associate member of the International Laboratory Accreditation Cooperation (ILAC), a correspondent member of the International Organization for Standardization (ISO) and a member of the World Trade Organization (WTO).

## Publication of Technical Regulations

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Guatemala's national gazette is the *Diario de Centro America*, available online (see under Contacts). New national standards that have been approved by the government's executive branch become effective on the date that they are published in the *Diario de Centro America*.

## Labeling and Marking

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Guatemala has labeling standards for food products, pharmaceuticals, pesticides, footwear and distilled alcoholic beverages.

Guatemalan law requires that food products sold in the domestic market be tested, registered and labeled in Spanish. While labeling standards for domestic food products are very strict, importers negotiated with COGUANOR and reached an agreement for the use of stick-on labels. Products sold in bulk are exempt from the labeling requirements unless they are to be sold at the retail level. Enforcement of product registration and labeling requirements has been inconsistent but is improving.

See:

[http://portal.mspas.gob.gt/direccion\\_general\\_de\\_regulacion\\_vigilancia\\_y\\_control\\_de\\_la\\_salud.html](http://portal.mspas.gob.gt/direccion_general_de_regulacion_vigilancia_y_control_de_la_salud.html)

### Food Labeling

Labeling requirements are set by COGUANOR Labeling Standard #34039. It establishes 40 requirements with respect to the appearance of the label. The specified information must be written on the label, and in the Spanish language. However, importers negotiated with COGUANOR and reached an agreement for a stick-on label to be used with the following information written in Spanish:

1. Product definition/description
2. Name of the product (This should be the official name as noted on the U.S. Certificate of free sale)
3. Physical characteristics, including ingredients (This has to be a qualitative composition, which is indicated on the back of the registration form). If this information is in English, it must be fully and correctly translated.
4. Net weight/volume
5. List of ingredients (including allergens) and additives and the percentage of total for each
6. Name, address and telephone number of Guatemalan distributor
7. Food Control registration number (D.G.S.S.-D.R.C.A. \_\_\_\_\_ -Sanitary license obtained at a Center of Sanitation). The original license has to be presented. Approximate cost for each product: Q1,650.00. (USD 206)
8. Country of origin
9. Lot production identification number
10. Expiration date
11. If applicable, "Keep Frozen" or "Form of Preparation"

<p>Nombre del Producto: Puré para bebés; postre, sabor chocolate Ingredientes: Harina de trigo, leche entera reconstruida, azúcar, vitaminas, colorantes naturales, cocoa. 12 oz. Netas Distribuidor: Importaciones Guatemala, S.A. Dirección: Avenida Las Estrellas, 0-01, Zona 24, Guatemala, Ciudad Teléfono: (502) 555-1212 y (502) 555-2121 D.G.S.S.-D.R.C.A. 123-456-789 Fecha de vencimiento: 31-02-02</p>
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### **Contacts**

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- COGUANOR – Standards Commission: [www.coguanor.org](http://www.coguanor.org)  
-Licenciado Magin Beteta, Secretario Ejecutivo: [mbeteta@mail.mineco.gob.gt](mailto:mbeteta@mail.mineco.gob.gt)

- DIACO – Consumer Assistance Center: [www.diaco.gob.gt](http://www.diaco.gob.gt)  
-Licenciado Mayra Soto, Directora: [diacoquejas@mail.mineco.gob.gt](mailto:diacoquejas@mail.mineco.gob.gt)
- OGA - Accreditation Office: [http://oga.org.gt/ambito\\_internacional.html](http://oga.org.gt/ambito_internacional.html)  
-Sistema Nacional de Calidad: [info-oga@mineco.gob.gt](mailto:info-oga@mineco.gob.gt)
- National Gazette -Diario de Centro America: [www.diariodecentroamerica.gob.gt](http://www.diariodecentroamerica.gob.gt)  
-Ana Maria Rodas, Directora: [lborrayo@dca.gob.gt](mailto:lborrayo@dca.gob.gt)
- PROAM - Healthcare Services: [www.mspas.gob.gt](http://www.mspas.gob.gt)
- Agriculture: [www.maga.gob.gt](http://www.maga.gob.gt)
- Import procedures at Agriculture: <http://portal.maga.gob.gt/vudi-web/>

## Trade Agreements

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The United States, the Dominican Republic and five Central American countries (Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua), signed the Dominican Republic-Central American-United States Free Trade Agreement (CAFTA-DR) in August 2004. The Agreement entered into force in Guatemala on July 1, 2006, after the country completed all the commitments necessary for implementation.

CAFTA-DR liberalizes bilateral trade between the United States and the region and promotes regional integration. It also requires the Central American countries to undertake needed reforms to alleviate systemic problems in such areas as customs administration, protection of intellectual property rights, services, investment, financial services, market access, and government procurement, as well as sanitary and phytosanitary and other non-tariff barriers.

Aside from CAFTA-DR, Guatemala has signed, bilaterally or in conjunction with other Central American countries, free trade agreements with Chile, Mexico, Colombia, Taiwan and Panama. In 2009, Guatemala and Belize negotiated a partial agreement. Guatemala has existing partial scope agreements with Cuba and Venezuela. According to the Ministry of Economy's agenda, the ministry plans in 2010 to work towards the signing of the agreement with the European Union and continue negotiations with the agreement with Canada.

Central America established a common external tariff schedule in 1998. Six Central American countries signed a revised protocol for economic integration and macroeconomic coordination in October 1993. The integration protocol allows Central American countries to advance at varying rates toward more open trade. The "Northern Triad" countries (Guatemala, El Salvador and Honduras) have moved the most rapidly to eliminate trade barriers among themselves.

For more information on how U.S companies can take advantage of those agreements please consult the links listed below.

## Web Resources

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- Guatemalan Superintendence of Tax Administration: <http://www.sat.gob.gt>
- Guatemalan Ministry of Economy: <http://www.mineco.gob.gt>
- Secretariat for Central American Economic Integration: <http://www.sieca.org.gt>
- Office of the United States Trade Representative: <http://www.ustr.gov>

- Foreign Agricultural Service: [www.fas.usda.gov](http://www.fas.usda.gov)
- Guatemalan Administration of International Commerce: <http://dace.mineco.gob.gt/mineco/tlc/index.htm>
- Guatemalan Ministry of Economy: <http://www.mineco.gob.gt>
- Secretariat for Central American Economic Integration: <http://www.sieca.org.gt>
- Guatemalan Investment Office: <http://www.investinguatemala.org>
- Guatemalan e-procurement system: <http://www.guatecompras.gt>
- Guatemalan Exporters' Association: <http://www.export.com.gt>
- Guatemalan Chamber of Commerce: <http://www.negociosenguatemala.com>
- Guatemalan Chamber of Industry: <http://www.industriaguatemala.com>
- American Chamber of Commerce: <http://www.amchamguatemala.com>
- Ministry of National Defense of Guatemala: [www.digecam.mil.gt](http://www.digecam.mil.gt)

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## Chapter 6: Investment Climate

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### Openness to Foreign Investment

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President Colom has continued programs initiated by prior governments to promote foreign investment, enhance competitiveness, and expand investment in the export and tourist sectors. International organizations, such as the World Bank, noted that Guatemala has continued to improve its business environment. The World Bank's 2007 Doing Business Report recognized Guatemala as one of the top 10 reformers in 2005/2006. However, the Colom administration has prioritized government resources on social, health and development programs subsequently reducing funds available for efforts aimed at strengthening rule of law and attracting foreign investment.

According to data from the Guatemalan Central Bank (Banguat), the flow of foreign direct investment (FDI) totaled USD 753.8 million in 2008. After six years of growth, FDI was projected to decline 25.8 percent in 2009 to USD 559.3 million as a result of the global economic crisis.

Hundreds of U.S. and other foreign firms have active investments in Guatemala. Guatemala passed a foreign investment law in 1998 to streamline and facilitate foreign investment. The Dominican Republic – Central America - United States Free Trade Agreement (CAFTA-DR) entered into force in Guatemala on July 1, 2006. As part of the CAFTA-DR implementation process, the Guatemalan Congress approved a law that strengthened existing legislation on intellectual property rights protection (IPR), government procurement, commerce, insurance, arbitration, telecom, and the penal code to ensure compliance with CAFTA-DR. A new e-commerce law was approved by

Congress in August 2008 that provides legal recognition to communications and contracts that are executed electronically; permits electronic communications to be accepted as evidence in all administrative, legal, and private actions; and allows for the use of electronic signatures. Further reform to insurance regulations, as required by CAFTA-DR, is pending in Guatemala's Congress.

CAFTA-DR established a more secure and predictable legal framework for U.S. investors operating in Guatemala. Under CAFTA-DR, all forms of investment are protected, including enterprises, debt, concessions, contracts and intellectual property. U.S. investors enjoy, in almost all circumstances, the right to establish, acquire and operate investments in Guatemala on an equal footing with local investors.

There are no impediments to the formation of joint ventures or the purchase of local companies by foreign investors. The absence of an equities market in which shares of publicly owned firms are traded makes takeovers difficult. Most foreign firms therefore operate through locally incorporated subsidiaries.

There are no restrictions on foreign investment in the telecommunications, electrical power generation, airline, or ground transportation sectors. The GOG privatized a number of state-owned assets in industries and utilities in the late nineties including: power generation and distribution, telephone, and grain storage. The Foreign Investment Law removed limitations to foreign ownership in domestic airlines and ground transport companies in January 2004.

Foreign banks may open branches or subsidiaries in Guatemala subject to Guatemalan financial controls and regulations. These include a rule requiring local subsidiaries of foreign banks and financial institutions operating in Guatemala to meet Guatemalan capital and lending requirements as if they were stand-alone operations.

Some professional services may only be supplied by professionals with locally recognized academic credentials. Public notaries must be Guatemalan nationals. Foreign enterprises may provide licensed professional services in Guatemala through a contract or other relationship with a Guatemalan company. An insurance law is currently pending in the Guatemalan Congress that would allow foreign insurance companies to open branches in Guatemala, a requirement under CAFTA-DR that must be in place by July 1, 2010.

Mining has historically been a sensitive issue in Guatemala and operations in Guatemala have been subject to protests. Subsurface minerals and petroleum are the property of the state. Contracts for development are typically granted through production-sharing agreements. New legislation resulted in a more transparent contracting process, although the suspension in 2002 of a hydrocarbon exploration contract on environmental grounds, and without due process, raised some concerns among investors.

Complex and confusing laws and regulations, inconsistent judicial decisions, bureaucratic impediments, and corruption continue to constitute practical barriers to investment. Complicated tax regulations meant to reduce tax evasion result in foreign and domestic companies incurring high costs to comply with tax laws. There is no law regulating monopolistic or anti-competitive practices.

Domestic and foreign firms must publish their intent to conduct business, agree to Guatemalan legal jurisdiction, and register with the Ministry of Economy in order to incorporate formally in Guatemala. Foreign firms are subject to additional, time-consuming requirements, including: demonstrating solvency, depositing operating capital in a local bank, supplying financial statements, contractually agreeing to fulfill all legal obligations before leaving the country, and appointing a Guatemalan citizen or foreign resident (with work permit) as legal representative. The requirements are not used specifically to screen or discriminate against foreign companies, but the procedures can serve as a disincentive to investment.

Below is a table with the most recent data available from international organizations:

Measure	Year	Index/Ranking
TI Corruption Index	2009	(3.4/10) 84/180
Heritage Economic Freedom	2010	(61.0/100) 83/183
World Bank Doing Business	2010	110/183
MCC Government Effectiveness	FY 2010	47%
MCC Rule of Law	FY 2010	18%
MCC Control of Corruption	FY 2010	32%
MCC Fiscal Policy	FY 2010	38%
MCC Trade Policy	FY 2010	94%
MCC Regulatory Quality	FY 2010	71%
MCC Business Start Up	FY 2010	31%
MCC Land Rights Access	FY 2010	38%
MCC Natural Resource Management	FY 2010	81%

## Conversion and Transfer Policies

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The right to hold private property and to engage in business activities is specifically recognized by the Guatemalan Constitution. Foreign private entities can establish, acquire and dispose freely of virtually any type of business interest, with the exception of insurance and professional services as noted above. Guatemala's foreign investment law and CAFTA-DR commitments protect the investor's right to remit profits and repatriate capital. There are no restrictions on converting or transferring funds associated with an investment (or any other licit activity) into a freely usable currency at a market-clearing rate. U.S. dollars are freely available and easy to obtain within the Guatemalan banking system. There are no legal constraints on the quantity of remittances or any other capital flows, and there have been no reports of unusual delays in the remittance of investment returns.

The Law of Free Negotiation of Currencies allows Guatemalan banks to offer different types of foreign currency-denominated accounts. In practice, the dollar is used most frequently. Some banks offer "pay through" dollar-denominated accounts in which depositors make deposits and withdrawals at a local bank while the actual account is maintained on behalf of depositors in an offshore bank.

Capital can be transferred from Guatemala to any other jurisdiction without restriction. Guatemalan firms have been active investors in Central America, the Dominican Republic, and the United States.



## Expropriation and Compensation

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The Constitution prohibits expropriation, except in cases of eminent domain, national interest, or social benefit. The foreign investment law requires advance compensation in cases of expropriation. Investor rights are protected under CAFTA-DR by an impartial procedure for dispute settlement that is fully transparent and open to the public. Submissions to dispute panels and dispute panel hearings are open to the public, and interested parties have the opportunity to submit their views.

In June 2007, a U.S. company operating in Guatemala filed a claim under the investment chapter of CAFTA-DR against the Government of Guatemala with the International Centre for Settlement of Investment Disputes (ICSID). The claimant alleged the Government of Guatemala indirectly expropriated the company's assets by negating a contract, and requested USD 65 million in compensation and damages from the Guatemalan Government. The case remains pending before the ICSID.

## Dispute Settlement

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Resolution of business and investment disputes through Guatemala's judicial system is time-consuming, and civil cases can take several years to resolve. Corruption, intimidation and ineffectiveness in the judiciary have led to confusing and contradictory decisions and frequent delays. U.S. companies, however, face the same conditions as local companies and are not subject to any pattern of discrimination in the legal system.

Guatemala has a written and consistently applied commercial law (Codigo de Comercio). Guatemala does not have an independent bankruptcy law, but the Code on Civil and Mercantile Legal Proceedings (Codigo Procesal Civil y Mercantil) contains a specific chapter on bankruptcy proceedings. Under the code, creditors can request to be included in the list of creditors, request an insolvency proceeding when a debtor has suspended payments of liabilities to creditors, and constitute a general board of creditors to be informed of the proceedings against the debtor.

The Government of Guatemala has signed the United Nations Convention on the Recognition and Enforcement of Arbitral Awards (New York Convention), the Interamerican Convention on International Commercial Arbitration (Panama Convention), and the Convention on the Settlement of Investment Disputes between States and Nationals of other States (ICSID). Guatemala's foreign investment law also permits international arbitration or alternative resolution of disputes, if agreed to by the parties.

Guatemalan procedures for enforcing agreements are similar to those of the United States. Guatemala's Arbitration Law of 1995 is based on the UNCITRAL Model Law for International Commercial Arbitration and regulations are in line with the New York Convention. Default awards and arbitral agreements are fully enforceable in Guatemala. In addition, CAFTA-DR added an additional dispute resolution mechanism for investors. The first claim under that system was filed in June 2007 as described in the previous section and the Government of Guatemala has followed all procedures required of it under the process. In January 2009, a U.S. company operating in Guatemala submitted a Notice of Intent to the government of Guatemala to file for international arbitration under the investment chapter of CAFTA-DR. The company is seeking to resolve a

dispute with the government of Guatemala regarding the regulation of electricity rates.

## **Performance Requirements and Incentives**

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Guatemala's 1998 Foreign Investment Law eliminated trade-related investment restrictions and ensured Guatemala was compliant with WTO obligations under the Agreement on Trade Related Investment Measures (TRIMS). In 1999, Guatemala notified the WTO that it was TRIMS compliant.

Guatemala does not impose performance, purchase or export requirements other than those normally associated with free trade zones and duty drawback programs. Companies are not required to locate operations in specific geographic areas or include local content in production.

Investment incentives are specified in law and are available, with few exceptions, to both foreign and Guatemalan investors without discrimination. There are two main programs, one focused on garment exports and the other on reforestation.

The major Guatemalan incentive program, the Law for the Promotion and Development of Export Activities and Drawback, is aimed mainly at "maquiladoras" – mostly garment manufacturing and assembly operations - in which over half of production inputs/components are imported and the completed products are exported. Investors in this sector are granted a 10-year exemption from both income taxes and the Solidarity Tax, Guatemala's alternative minimum tax. Additional incentives include an exemption of duties and value-added taxes on imported machinery, and a one-year suspension (extendable to a second year) of the same duties and taxes on imports of production inputs and packing material. Taxes are waived when the goods are re-exported. The waiver for customs duties, value added tax and income tax was scheduled to expire on December 31, 2007, with a phase out period of two years. However, in July 2007, the WTO adopted a decision that allows the WTO Subsidies Committee to continue to grant annual extensions of the transition period of export subsidies to Guatemala and other countries until the end of 2013, with a final phase out period of two years.

Property owners who engage in reforestation activities may qualify for government incentives through the National Institute of Forests (INAB). This incentive program is scheduled to end in 2017.

Guatemalan law requires that food products sold in the domestic market be tested, registered and labeled in Spanish, although stick-on labels are permitted.

Under CAFTA-DR, about 80 percent of U.S. industrial and consumer goods enter Guatemala duty-free, with the remaining tariffs scheduled to be phased-out by 2015. Nearly all textile and apparel goods that meet the agreement's rules of origin are now traded duty-free and quota-free, promoting new opportunities for U.S. and regional fiber, yarn, fabric and apparel manufacturing. The agreement's tariff treatment for textile and apparel goods is retroactive to January 1, 2004.

Under CAFTA-DR, more than half of U.S. agricultural exports now enter Guatemala duty-free. Guatemala will eliminate its remaining tariffs on nearly all agricultural products by 2020 (2023 for rice and chicken leg quarters and 2025 for dairy products). For the most sensitive products, tariff rate quotas will permit some immediate duty-free access

for specified quantities during the tariff phase-out period, with the duty-free amount expanding during that period. Guatemala will liberalize trade in white corn through expansion of a TRQ, rather than by tariff reductions.

### **Right to Private Ownership and Establishment**

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The right to hold private property and to engage in business activity is recognized in the Guatemalan Constitution. The foreign investment law specifically notes that foreign investors enjoy the same rights of use, benefit, and ownership of property as afforded Guatemalans. Foreigners are prohibited, however, from owning land immediately adjacent to rivers, oceans and international borders.

CAFTA-DR established a more secure and predictable legal framework for U.S. investors operating in Guatemala. Under CAFTA-DR, all forms of investment are protected, including enterprises, debt, concessions, contract and intellectual property. U.S. investors enjoy, in almost all circumstances, the right to establish, acquire and operate investments in Guatemala on an equal footing with local investors.

There are no impediments to the formation of joint ventures or the purchase of local companies by foreign investors. The absence of an equities market in which shares of publicly owned firms are traded makes takeovers difficult. Most foreign firms therefore operate through locally incorporated subsidiaries.

### **Protection of Property Rights**

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Guatemala has a registry for both real property and intellectual property. Inadequately documented titles and gaps in the public record can sometimes lead to conflicting claims of land ownership. The government has stepped up its efforts to enforce property rights where title is clear or where title disputes have been resolved; however, it can be difficult to obtain and enforce eviction notices.

Mortgages are available to finance homes and businesses, but only a small number of banks offer 15-year mortgage loans for residential real estate.

The legal system is accessible to foreigners and does not systemically discriminate against foreign firms. However, in practice, it favors local attorneys accustomed to maneuvering a case through the process. Foreign investors are advised to seek reliable local counsel early in the investment process.

Regarding intellectual property rights (IPR), Guatemala belongs to the World Trade Organization (WTO) and the World Intellectual Property Organization (WIPO). It is also a signatory to the Paris Convention, Bern Convention, Rome Convention, Phonograms Convention, and the Nairobi Treaty. Guatemala has ratified the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT). In June 2006, as part of CAFTA-DR implementation, Guatemala ratified the Patent Cooperation Treaty and the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure. Also in June 2006, the Guatemalan Congress approved the International Convention for the Protection of New Varieties of Plants (UPOV Convention); however, implementing legislation remains pending that will allow Guatemala to become a party to the convention.

The Guatemalan Congress passed legislation in August 2000 to bring the country's intellectual property rights laws into compliance with the WTO's TRIPS agreement. This legislation was modified in 2003 to provide pharmaceutical test data protection consistent with international practice and in 2005 the law was again amended to comply with IPR protection requirements in CAFTA-DR. CAFTA-DR provides for improved standards for the protection and enforcement of a broad range of intellectual property rights, which are consistent with U.S. standards of protection and enforcement as well as emerging international standards. Enforcement of IPR laws, however, has been inconsistent. A number of raids, cases and prosecutions have been pursued; however, resource constraints and lack of coordinated government action impede efficient enforcement efforts. Piracy of works protected by copyright and infringement of other forms of intellectual property, such as trademarks including those of some major U.S. food brands, remains problematic in Guatemala.

### **Transparency of Regulatory System**

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Tax, labor, environment, health and safety laws do not directly impede investment in Guatemala. Bureaucratic hurdles are common for both domestic and foreign companies, including lengthy processes to open and close a business, obtain permits and licenses, and receive shipments. The legal and regulatory systems are confusing and not transparent. Regulations often contain few explicit criteria for government administrators, resulting in ambiguous requirements that are applied inconsistently by different government agencies and the courts.

Public participation in the promulgation of regulations is rare, although companies and individuals are able to submit comments to the issuing government office with limited effect. There is no consistent legislative oversight of administrative rule making.

Laws that are being debated in Congress are placed on the institution's public website; however, last minute amendments often are not publicly disclosed. Final versions of laws, once signed by the President, must be published in the official gazette before taking effect.

### **Efficient Capital Markets and Portfolio Investment**

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Guatemala's capital markets are weak and inefficient. There is no securities regulator, but rather only a registry that lacks regulatory authority. There are two principal commercial exchanges that deal almost exclusively in commercial paper and government bonds. Foreign investors are reported to be small holders of Guatemalan government external debt. There is no market in publicly traded equities, the absence of which raises the cost of capital and complicates mergers and acquisitions. As of November 2009, borrowers faced a weighted average nominal interest rate of 13.93 percent, with some banks charging up to 75 and 159 percent. Foreigners rarely rely on the local credit market to finance investments.

In April 2002, the Guatemalan Congress passed a package of financial sector regulatory reforms that increased the regulatory and supervisory authority of the Superintendent of Banks (SIB), which is responsible for regulating the financial services industry. These reforms brought local practices more in line with international standards and spurred a

round of bank consolidation and restructuring. The Guatemalan Congress is considering a reform to the banking and financial groups law that would strengthen supervision of the banking sector. Pending insurance legislation would also improve supervision of the insurance sector.

The 2002 reforms required that non-performing assets held offshore be included in loan loss provision and capital adequacy ratios. This forced a number of smaller banks to seek new capital, buyers, or mergers with stronger banks. From October 2006 to October 2009, seven bank mergers and acquisitions were completed.

Groups of affiliated credit card, insurance, finance, commercial banking, leasing, and related companies must issue consolidated financial statements prepared in accordance with uniform, generally accepted accounting practices. The groups are audited and supervised on a consolidated basis.

Guatemala's 18 commercial banks had an estimated USD 17.1 billion in assets among them in 2009. The five largest banks control about 79 percent of total assets. In addition, there are 15 non-bank financial institutions, which perform primarily investment banking and medium and long-term lending, and one exchange house.

Overall, the banking system remains stable. Two bank failures in 2006 and 2007 were managed effectively and did not affect the financial system or broader economy. In October 2006, the SIB recommended that Guatemala's fourth largest bank, Bancafe, be suspended due to financial problems arising from an off-shore investment of USD 204 million in the bankrupt U.S. commodities brokerage company Refco. As a result, the financial group headed by the suspended bank was dissolved and the license of its off-shore bank was canceled. In January 2007, the license for Banco de Comercio was suspended after the bank requested intervention by the SIB due to its overextended loan portfolio.

As part of its effort to fortify the domestic financial system against global financial turmoil, monetary authorities issued a resolution in December 2008 that required financial groups to increase their reserve requirements to 100 percent for all non-performing loans by June 30, 2011.

## **Competition from State Owned Enterprises**

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The Government of Guatemala (GOG) owns 30 percent of the shares of the Bank of Rural Development (BanRural), the third largest bank in Guatemala, and it is allotted 3 out of 10 seats on the Board of Directors. The GOG also appoints the director of GUATEL, the state-owned telephone company dedicated to providing rural and government services that was split off from the fixed-line telephone company during its privatization in 1998. GUATEL's operations are small and it continuously fails to generate sufficient revenue to cover expenses. Its director reports to the Minister of Communications. The National Electricity Institute (INDE) is a state-owned electricity company responsible for expanding the provision of electricity to rural communities. INDE generates about 35 percent of the electrical power produced in Guatemala and it participates in the wholesale market under the same rules as its competitors. It also provides a subsidy for consumers of less than 300MW per month. The Board of Directors is comprised of representatives from the government, municipalities, business associations and labor unions. The General Manager is appointed by the Board of

Directors.

## **Corporate Social Responsibility**

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There is a general awareness of Corporate Social Responsibility (CSR) on the part of producers and service providers as well as Guatemalan business chambers. The Guatemalan-American Chamber of Commerce (AmCham) and a local organization called the Center for Socially Responsible Corporate Action in Guatemala (CentraRSE) annually award companies for their CSR activities. The U.S. Department of Commerce has partnered with ProEtica - a coalition of businesses, individuals, and organizations - to promote business ethics and social responsibility. U.S. companies such as Exxon, McDonalds, and Starbucks, have been recognized for their corporate social responsibility programs that aim to foster a safe and productive workplace as well as provide health and education programs to aid workers, families, and communities. Many international companies have found that CSR programs targeted to the local communities they serve help to build trust and are generally expected to be provided given the low level of government funds available for investment in health, education and infrastructure.

## **Political Violence**

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The Guatemalan government and the guerrillas of the Guatemalan National Revolutionary Unity (URNG) signed the Accord for a Firm and Lasting Peace on December 29, 1996, ending the 36-year internal armed conflict. Though there are occasional incidents of violence associated with organized land invasions and protests against mining and large infrastructure projects such as hydroelectric and cement plants, political violence has virtually disappeared.

Guatemala, however, has one of the highest violent crime rates in Latin America. The murder rate in 2009 was 48 per 100,000, making Guatemala one of the most dangerous countries in the hemisphere. Rule of law is lacking as the judicial system is weak, overworked, and inefficient and the police understaffed and often corrupt. The impunity rate for homicides is 96.5 percent.

Given the weak rule of law, violent common crime is a major problem in Guatemala. Gangs are a constant concern in urban areas and gang members are often well armed, sometimes with military weapons. Widespread narcotics and alien smuggling activities make some remote areas dangerous, especially along Guatemala's border with Mexico. Security therefore remains a widespread concern; however, foreigners are not singled out as targets of crime.

Guatemala has an approximately 180 year-old border dispute with Belize, and territorial sea disputes with Belize and Honduras. It remains committed to resolving these disputes through diplomatic means. Honduras is participating in the Guatemala-Belize discussions to resolve its maritime dispute with Guatemala.



Corruption, including bribery, raises the costs and risks of doing business. Corruption has a corrosive impact on both market opportunities overseas for U.S. companies and the broader business climate. It also deters international investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

It is important for U.S. companies, irrespective of their size, to assess the business climate in the relevant market in which they will be operating or investing, and to have an effective compliance program or measures to prevent and detect corruption, including foreign bribery. U.S. individuals and firms operating or investing in foreign markets should take the time to become familiar with the relevant anticorruption laws of both the foreign country and the United States in order to properly comply with them, and where appropriate, they should seek the advice of legal counsel.

The U.S. Government seeks to level the global playing field for U.S. businesses by encouraging other countries to take steps to criminalize their own companies' acts of corruption, including bribery of foreign public officials, by requiring them to uphold their obligations under relevant international conventions. A U. S. firm that believes a competitor is seeking to use bribery of a foreign public official to secure a contract should bring this to the attention of appropriate U.S. agencies, as noted below.

**U.S. Foreign Corrupt Practices Act:** In 1977, the United States enacted the Foreign Corrupt Practices Act (FCPA), which makes it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to foreign public officials for the purpose of obtaining or retaining business for or with, or directing business to, any person. The FCPA also applies to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States. For more detailed information on the FCPA, see the FCPA Lay-Person's Guide at: <http://www.justice.gov/criminal/fraud/docs/dojdocb.html>.

**Other Instruments:** It is U.S. Government policy to promote good governance, including host country implementation and enforcement of anti-corruption laws and policies pursuant to their obligations under international agreements. Since enactment of the FCPA, the United States has been instrumental to the expansion of the international framework to fight corruption. Several significant components of this framework are the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Antibribery Convention), the United Nations Convention against Corruption (UN Convention), the Inter-American Convention against Corruption (OAS Convention), the Council of Europe Criminal and Civil Law Conventions, and a growing list of U.S. free trade agreements. Guatemala is a party to the UN Convention against Corruption and to the Inter-American Convention against Corruption, but generally all countries prohibit the bribery and solicitation of their public officials.

**OECD Antibribery Convention:** The OECD Antibribery Convention entered into force in February 1999. As of December 2009, there are 38 parties to the Convention including the United States (see <http://www.oecd.org/dataoecd/59/13/40272933.pdf>). Major exporters China, India, and Russia are not parties, although the U.S. Government strongly endorses their eventual accession to the Convention. The Convention obligates the Parties to criminalize bribery of foreign public officials in the conduct of international business. The United States meets its international obligations under the OECD

Antibribery Convention through the U.S. FCPA. Guatemala is not a party to the OECD Antibribery Convention.

**UN Convention:** The UN Anticorruption Convention entered into force on December 14, 2005, and there are 143 parties to it as of December 2009 (see <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>). The UN Convention is the first global comprehensive international anticorruption agreement. The UN Convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption. The UN Convention goes beyond previous anticorruption instruments, covering a broad range of issues ranging from basic forms of corruption such as bribery and solicitation, embezzlement, trading in influence to the concealment and laundering of the proceeds of corruption. The Convention contains transnational business bribery provisions that are functionally similar to those in the OECD Antibribery Convention and contains provisions on private sector auditing and books and records requirements. Other provisions address matters such as prevention, international cooperation, and asset recovery. Guatemala ratified the UN Convention against Corruption in November 2006.

**OAS Convention:** In 1996, the Member States of the Organization of American States (OAS) adopted the first international anticorruption legal instrument, the Inter-American Convention against Corruption (OAS Convention), which entered into force in March 1997. The OAS Convention, among other things, establishes a set of preventive measures against corruption, provides for the criminalization of certain acts of corruption, including transnational bribery and illicit enrichment, and contains a series of provisions to strengthen the cooperation between its States Parties in areas such as mutual legal assistance and technical cooperation. As of December 2009, the OAS Convention has 33 parties (see <http://www.oas.org/juridico/english/Sigs/b-58.html>) Guatemala ratified the Inter-American Convention against Corruption in July 2001, but has not implemented all of its provisions, such as criminalizing illicit enrichment. Changes in the law, however, made government officials who benefit from narcotics trafficking activities subject to criminal penalties.

**Council of Europe Criminal Law and Civil Law Conventions:** Many European countries are parties to either the Council of Europe (CoE) Criminal Law Convention on Corruption, the Civil Law Convention, or both. The Criminal Law Convention requires criminalization of a wide range of national and transnational conduct, including bribery, money-laundering, and account offenses. It also incorporates provisions on liability of legal persons and witness protection. The Civil Law Convention includes provisions on compensation for damage relating to corrupt acts, whistleblower protection, and validity of contracts, inter alia. The Group of States against Corruption (GRECO) was established in 1999 by the CoE to monitor compliance with these and related anti-corruption standards. Currently, GRECO comprises 46 member States (45 European countries and the United States). As of December 2009, the Criminal Law Convention has 42 parties and the Civil Law Convention has 34 (see [www.coe.int/greco](http://www.coe.int/greco).) Guatemala is not a party to the Council of Europe Conventions.

**Free Trade Agreements:** While it is U.S. Government policy to include anticorruption provisions in free trade agreements (FTAs) that it negotiates with its trading partners, the anticorruption provisions have evolved over time. The most recent FTAs negotiated now require trading partners to criminalize “active bribery” of public officials (offering bribes to any public official must be made a criminal offense, both domestically and trans-



nationally) as well as domestic “passive bribery” (solicitation of a bribe by a domestic official). All U.S. FTAs may be found at the U.S. Trade Representative Website: <http://www.ustr.gov/trade-agreements/free-trade-agreements>. Guatemala, together with the other Central American countries and the Dominican Republic have a free trade agreement in place with the United States (CAFTA-DR), which entered into force in Guatemala on July 1, 2006.

**Local Laws:** U.S. firms should familiarize themselves with local anticorruption laws, and, where appropriate, seek legal counsel. While the U.S. Department of Commerce cannot provide legal advice on local laws, the Department’s U.S. and Foreign Commercial Service can provide assistance with navigating the host country’s legal system and obtaining a list of local legal counsel.

**Assistance for U.S. Businesses:** The U.S. Department of Commerce offers several services to aid U.S. businesses seeking to address business-related corruption issues. For example, the U.S. and Foreign Commercial Service can provide services that may assist U.S. companies in conducting their due diligence as part of the company’s overarching compliance program when choosing business partners or agents overseas. The U.S. Foreign and Commercial Service can be reached directly through its offices in every major U.S. and foreign city, or through its Website at [www.trade.gov/cs](http://www.trade.gov/cs).

The Departments of Commerce and State provide worldwide support for qualified U.S. companies bidding on foreign government contracts through the Commerce Department’s Advocacy Center and State’s Office of Commercial and Business Affairs. Problems, including alleged corruption by foreign governments or competitors, encountered by U.S. companies in seeking such foreign business opportunities can be brought to the attention of appropriate U.S. government officials, including local embassy personnel and through the Department of Commerce Trade Compliance Center “Report A Trade Barrier” Website at [tcc.export.gov/Report\\_a\\_Barrier/index.asp](http://tcc.export.gov/Report_a_Barrier/index.asp).

**Guidance on the U.S. FCPA:** The Department of Justice’s (DOJ) FCPA Opinion Procedure enables U.S. firms and individuals to request a statement of the Justice Department’s present enforcement intentions under the antibribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure are available on DOJ’s Fraud Section Website at [www.justice.gov/criminal/fraud/fcpa](http://www.justice.gov/criminal/fraud/fcpa). Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information, see the Office of the Chief Counsel for International Counsel, U.S. Department of Commerce, Website, at [http://www.ogc.doc.gov/trans\\_anti\\_bribery.html](http://www.ogc.doc.gov/trans_anti_bribery.html).

More general information on the FCPA is available at the Websites listed below.

Exporters and investors should be aware that generally all countries prohibit the bribery of their public officials, and prohibit their officials from soliciting bribes under domestic laws. Most countries are required to criminalize such bribery and other acts of corruption by virtue of being parties to various international conventions discussed above.

Bribery is illegal under the penal code; however, corruption remains a serious problem that companies may encounter at many levels. Guatemala’s score on the Transparency

International 2009 Corruption Perceptions Index was 3.4 points out of 10, ranking it 17th out of 31 countries in the region.

Guatemala enacted measures to reverse the perceived increase in government corruption under the Portillo administration (2000-2003). Various senior officials who served during the Portillo administration were investigated and sentenced for their role in corruption scandals including the former Superintendent of Tax Administration, Minister of Interior, Comptroller General, and Minister of Finance. However, six of these individuals were released from jail and placed under home arrest in 2008. Two former presidents of congress face charges for their alleged involvement in an embezzlement scandal. In 2008, the Vice President launched a transparency and anti-corruption program to address this issue and the Ministry of Finance created a new vice ministry charged with overseeing transparency in government spending.

Investors have historically found corruption especially pervasive in customs transactions, particularly at ports and borders away from the capital. Guatemala became a full party to the WTO Customs Valuation Agreement on August 10, 2004. The Superintendent of Tax Administration (SAT) launched a customs modernization program in November 2006 that implemented an advanced electronic manifest system and removed many corrupt customs officials. However, in June 2008, a leading Guatemalan newspaper published a detailed account of bribes being paid to customs officials in the El Carmen border crossing with Mexico.

Guatemala's Government Procurement Law requires most government purchases over 900,000 quetzals (approximately USD 110,306) to be submitted for public competitive bidding. Since March 2004, Guatemalan government entities have been required to use Guatecompras, an Internet-based electronic procurement system, which improved transparency in the government procurement process. Government use of Guatecompras has decreased and some government agencies continue to use parallel systems of public procurement (such as spending through international organizations or NGOs) to avoid auditing and public bidding. In August 2009, the Guatemalan Congress approved reforms to the Government Procurement Law, which simplified bidding procedures, eliminated the fee previously charged to receive bidding documents, and provided an additional opportunity for suppliers to express objections related to the bidding process. Despite these reforms, large government procurements are often subject to appeals and injunctions based on claims of faults in the bidding process (e.g. documentation issues and lack of transparency).

### **Anti-Corruption Resources**

Some useful resources for individuals and companies regarding combating corruption in global markets include the following:

- Information about the U.S. Foreign Corrupt Practices Act (FCPA), including a "Lay-Person's Guide to the FCPA" is available at the U.S. Department of Justice's Website at: [www.justice.gov/criminal/fraud/fcpa](http://www.justice.gov/criminal/fraud/fcpa).
- Information about the OECD Antibribery Convention including links to national implementing legislation and country monitoring reports is available at: [www.oecd.org/department/0,3355,en\\_2649\\_34859\\_1\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/department/0,3355,en_2649_34859_1_1_1_1_1,00.html). See also

new Antibribery Recommendation and Good Practice Guidance Annex for companies: <http://www.oecd.org/dataoecd/11/40/44176910.pdf>

- General information about anticorruption initiatives, such as the OECD Convention and the FCPA, including translations of the statute into several languages, is available at the Department of Commerce Office of the Chief Counsel for International Commerce Website: [http://www.ogc.doc.gov/trans\\_anti\\_bribery.html](http://www.ogc.doc.gov/trans_anti_bribery.html).
- Transparency International (TI) publishes an annual Corruption Perceptions Index (CPI). The CPI measures the perceived level of public-sector corruption in 180 countries and territories around the world. The CPI is available at: [www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009](http://www.transparency.org/policy_research/surveys_indices/cpi/2009). TI also publishes an annual *Global Corruption Report* which provides a systematic evaluation of the state of corruption around the world. It includes an in-depth analysis of a focal theme, a series of country reports that document major corruption related events and developments from all continents and an overview of the latest research findings on anti-corruption diagnostics and tools. See [www.transparency.org/publications/gcr](http://www.transparency.org/publications/gcr).
- The World Bank Institute publishes Worldwide Governance Indicators (WGI). These indicators assess six dimensions of governance in 212 countries, including Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption. See [http://info.worldbank.org/governance/wgi/sc\\_country.asp](http://info.worldbank.org/governance/wgi/sc_country.asp). The World Bank Business Environment and Enterprise Performance Surveys may also be of interest and are available at: <http://go.worldbank.org/RQQXYJ6210>.
- The World Economic Forum publishes the *Global Enabling Trade Report*, which presents the rankings of the Enabling Trade Index, and includes an assessment of the transparency of border administration (focused on bribe payments and corruption) and a separate segment on corruption and the regulatory environment. See <http://www.weforum.org/en/initiatives/gcp/GlobalEnablingTradeReport/index.htm>.
- Additional country information related to corruption can be found in the U.S. State Department's annual *Human Rights Report* available at <http://www.state.gov/g/drl/rls/hrrpt/>.
- Global Integrity, a nonprofit organization, publishes its annual *Global Integrity Report*, which provides indicators for 92 countries with respect to governance and anti-corruption. The report highlights the strengths and weaknesses of national level anti-corruption systems. The report is available at: <http://report.globalintegrity.org/>.

## Bilateral Investment Agreements

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In 2004, the United States, the Dominican Republic and five Central American Countries (Guatemala, Costa Rica, El Salvador, Honduras and Nicaragua) signed the Dominican Republic – Central America – United States Free Trade Agreement (CAFTA-DR). The agreement entered into force in Guatemala on July 1, 2006. CAFTA-DR contains a

chapter on investment similar to a Bilateral Investment Treaty with the United States. The United States and Guatemala do not have a bilateral taxation agreement due to the prevalence of corporate bearer shares.

Guatemala has bilateral investment agreements with Argentina, Belgium, Cuba, Chile, Finland, France, Germany, Israel, Italy, South Korea, Spain, Sweden, Switzerland, Taiwan, the Czech Republic, and The Netherlands.

In addition to CAFTA-DR, Guatemala has signed bilateral or regional free trade agreements with Chile (pending congressional approval), Mexico, Colombia, Taiwan, and Panama, and is currently negotiating FTA agreements with Canada, and the European Union. Guatemala also has partial scope agreements (“alcance parcial”) with Cuba, Venezuela, and Belize that cover a reduced amount of products and do not include chapters beyond trade.

### **OPIC and Other Investment Insurance Programs**

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Guatemala ratified the Multilateral Investment Guarantee Agreement (MIGA) in 1996.

The Overseas Private Investment Corporation (OPIC) is active in Guatemala, providing both insurance and investment financing. OPIC applicants have generally been able to quickly obtain Foreign Government Approval (FGA). For more information on OPIC programs, U.S. investors should contact OPIC headquarters in Washington, D.C. at tel. (202) 336-8799 or go to [www.opic.gov](http://www.opic.gov).

According to the Central Bank of Guatemala, the reference exchange rate of Quetzals to the U.S. Dollar in 2009 remained relatively stable with a high of 8.36 and a low of 7.78.

### **Labor**

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An estimated 1.2 million individuals in the formal sector workforce are augmented by at least three million more who work in the informal sector, including those who are too young for formal sector employment. In rural areas in particular, child labor remains a serious problem in certain industries. The availability of a large, unskilled and inexpensive labor force has led many employers, such as construction and agricultural firms, to use labor-intensive production methods. Over a quarter of the overall workforce is illiterate. In developed urban areas, however, education levels are much higher, and a workforce with the skills necessary to staff a growing service sector has emerged. Even so, highly capable technical and managerial workers remain in short supply, with secondary and tertiary education focused on social science careers.

No special laws or exemptions from regular labor laws are provided for the export processing zones. Managers of Guatemalan companies must be either Guatemalan citizens or resident aliens with work permits. Employer responsibilities regarding working conditions, especially health and safety standards, benefits, severance pay, premium pay for overtime work, minimum wages and bonuses, are specified in the labor code. Mandatory benefits, bonuses, and employer contributions to the Social Security system can add up to over 60 percent of an employee's base pay. Many workers, however, especially in agriculture, do not receive the full compensation package mandated in the labor law, and in practice labor rights are not well enforced.

The Constitution guarantees the right of workers to unionize and to strike and commits the state to support and protect collective bargaining as well as respect international labor conventions. Despite the legal guarantees, the rate of unionization in Guatemala is very low. According to statistics from the Ministry of Labor, approximately 8 percent of the country's formal labor sector were union members in 2006, the last year reported.

### **Foreign-Trade Zones/Free Ports**

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Guatemalan law permits the establishment of free trade zones (FTZs). As of October 2009, eighteen of twenty three authorized FTZs were operational. Commercial activities and apparel assembly operations are the main beneficiaries of Guatemala's free trade and "maquiladora" laws. Investment incentives are specified in law and are available, with few exceptions, to both foreign and Guatemalan investors without discrimination.

### **Foreign Direct Investment Statistics**

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According to data from the Guatemalan Central Bank (Banguat), the flow of foreign direct investment (FDI) totaled USD 753.8 million in 2008 (1.9 percent of GDP) and was projected to decline 25.8 percent in 2009 to USD 559.3 million (1.5% of GDP) as a result of the global economic crisis (2009 data are not yet available). There is no reliable data on stock of FDI.

Major U.S. companies, including investors (representative, but not a complete listing):

3M Company  
ACS/BPS  
American International Group  
Ashmore Energy  
AT&T Corporation  
Bristol Myers Squibb  
Cargill  
Chevron Corporation  
Chiquita Brands International  
Citibank  
Duke Energy  
Exxon Mobil  
Federal Express  
Frito Lay  
Kimberly Clark Corp.  
Microsoft Corporation  
Pepsi-Co Bottling Co.  
Pfizer Warner Lambert Co.  
Phillip Morris International  
Procter & Gamble Co.  
Ralston Purina  
Sears  
Sherwin Williams  
Teco Energy  
Wal-Mart

Westin Hotels and Suites  
Xerox Corporation

Other major foreign investors:

Barcelo Hotel  
BD Centroamericana  
Bimbo de C.A.  
Cindal-Nestle  
Elektra  
Ericsson de Guatemala  
Shell Oil  
Siemens  
Telefonica de Espana  
Telmex  
Union Fenosa

## Web Resources

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- Secretariat for Central American Economic Integration: <http://www.sieca.org.gt>
- Superintendence of Banks: <http://www.sib.gob.gt>
- Guatemalan Central Bank: <http://www.banguat.gob.gt>
- Superintendence of Tax Administration: <http://www.sat.gob.gt>
- Guatemalan Ministry of Economy: <http://www.mineco.gob.gt>
- Guatemalan Investment Office: <http://www.investinguatemala.org>
- Guatemalan procurement internet-based system: <http://www.guatecompras.gt>
- Guatemalan Exporters' Association: <http://www.export.com.gt>
- Guatemalan Chamber of Commerce: <http://www.negociosenguatemala.com>
- Guatemalan Chamber of Industry: <http://www.industriaguatemala.com>
- Office of the United States Trade Representative: <http://www.ustr.gov>
- OPIC: <http://www.opic.gov>

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## Chapter 7: Trade and Project Financing

- [How Do I Get Paid \(Methods of Payment\)](#)
- [How Does the Banking System Operate](#)
- [Foreign-Exchange Controls](#)
- [U.S. Banks and Local Correspondent Banks](#)
- [Project Financing](#)
- [Web Resources](#)

### **How Do I Get Paid (Methods of Payment)**

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The most secure means of payment is cash in advance or an irrevocable letter of credit. However, many Guatemalan imports are financed through short term (typically 60 day) lines of credit. Generally, these are extended directly by the U.S. exporter to the Guatemalan importer. This method of financing is usually only available to large importers and long-term clients. The larger Guatemalan importers frequently have their own source of capital abroad, which can be used to finance or to leverage financing for imports. U.S. exporters should exercise caution when extending credit. The pursuit of claims against Guatemalan firms for lack of payment can be time-consuming and costly.

### **How Does the Banking System Operate**

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Capital markets in Guatemala are weak and inefficient, though there has been some consolidation and restructuring as a result of financial reforms approved in 2002. The Guatemalan banking system is comprised of 18 commercial banks, which held an estimated USD 17.1 billion in assets in 2009. The five largest banks control about 79 percent of total assets. In addition, there are 15 non-bank financial institutions specializing in investment operations, one licensed exchange house, 17 insurance companies, 11 financial guarantors, 7 credit card issuers, 15 bonded warehouses, and 7 offshore banks which, by law, are affiliated with domestic financial groups. The Superintendent of Banks is charged with regulating the financial services industry.

Financial regulations passed by the Guatemalan Congress in April 2002 have increased the scope of supervision and brought local practices more in line with international standards. The 2002 regulations included a Banking and Financial Groups Law, a Financial Supervision Law and a Central Bank Law.

The Guatemalan Congress also passed strong anti-money laundering legislation in December 2001. The Financial Action Task Force removed Guatemala from the list of non-cooperating countries in July 2004. Terrorism finance legislation was passed in August 2005. For more information on the banking system please read the subsection [Efficient Capital Markets and Portfolio Investment](#) of the Investment Climate Chapter.

## Foreign-Exchange Controls

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Guatemala maintains an open and unrestricted exchange regime. The exchange rate moves in response to market conditions. The government sets one reference rate, which it applies only to its own transactions and which is based on the commercial rate.

The Central Bank intervenes in the foreign exchange market only to prevent sharp movements. There are no legal constraints on remittances or any other capital flows, or delays in acquiring foreign exchange. Since May 2001, banks are permitted to offer accounts and conduct business in any foreign currency.

## U.S. Banks and Local Correspondent Banks

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The Guatemalan Bank Association site has a link to most Guatemalan banks and their correspondent U.S. banks. More information at: [www.abg.org.gt/](http://www.abg.org.gt/)

## Project Financing

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A wide variety of sources of project financing are available in Guatemala, both from U.S. and international organizations. The U.S. Overseas Private Investment Corporation (OPIC), EXIMBANK, and the U.S. Trade and Development Agency (USTDA) are all involved in private sector projects in Guatemala and after CAFTA-DR implementation have shown interest in participating in more projects in the region. The International Finance Corporation (IFC-World Bank Group), the Multi-Lateral Investment Guaranty Agency (MIGA), the World Bank and the Inter-American Development Bank are all active players in project finance in Guatemala, especially when projects coincide with these organizations' priorities related to the implementation of Guatemala's peace accords. The Central American Bank of Economic Integration (CABEI) continues to play an important role in many projects, especially those related to public services and infrastructure.

## Web Resources

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Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule: [http://www.exim.gov/tools/country/country\\_limits.html](http://www.exim.gov/tools/country/country_limits.html)

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation: <http://www.fsa.usda.gov/cc/default.htm>

U.S. Agency for International Development: <http://www.usaid.gov>

Guatemalan Superintendence of Banks: <http://www.sib.gob.gt/>

Inter-American Development Bank: <http://www.iadb.org>

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## Chapter 8: Business Travel

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- [Travel Advisory](#)
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### **Business Customs**

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Guatemala, with a population of over 14 million, has the largest economy of Central America and is one of the most important U.S. trading partners in the Caribbean Basin Region. Guatemalan business executives and government officials place great importance on personal contacts with suppliers. U.S. suppliers should be prepared to have a local representative or distributor and to travel to Guatemala personally. Travelers often are surprised at the accessibility to key decision-makers and by the openness and frankness of local buyers.

U.S. executives interested in pursuing business in Guatemala should approach local business people in the same manner that they would approach good clients in the United States. Exporters should be prepared to explain how their products and services can complement existing products and systems.

Dress code during Guatemala City business appointments depends on the type of meetings planned. If planning to visit factories or plants, blazers and khakis are allowed but no shorts or sandals. If this is a first business meeting it is better to err on the side of more formal attire. It is advisable to exchange business cards.

Promotional material should be in Spanish and emphasize U.S. origin. Though many private and public officials speak and read English, many technicians and engineers do not. Guatemalans are extremely receptive to technical presentations that are educational rather than sales oriented.

### **Travel Advisory**

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The U.S. Embassy in Guatemala provides travel information to U.S. citizens through the Country Specific Information Sheet which is updated approximately every six months and can be accessed through [www.travel.state.gov](http://www.travel.state.gov)

In addition, the U.S. Embassy shares information with U.S. Citizens in Guatemala through Warden Messages which can be accessed through the Embassy's homepage, <http://guatemala.usembassy.gov> under Consular Notices.

All U.S. citizens traveling to or residing in Guatemala are encouraged to register their stay with the Embassy through the on-line registration system which can be accessed through the Registering with Embassies link on [www.travel.state.gov](http://www.travel.state.gov) under International Travel for U.S. Citizens.

## Visa Requirements

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U. S. Citizens do not need to obtain a visa before traveling to Guatemala. Upon entry into Guatemala, visitors are normally granted a temporary stay of 90 days.

Those who wish to remain longer will need to apply to extend their visa with Guatemalan immigration authorities within 90 days after arrival to Guatemala.

An individual married to a Guatemala citizen or who has a child who is a Guatemalan citizen is eligible to apply for a permanent visa, a procedure that takes approximately five months.

To either extend a stay beyond 90 days or to apply for a permanent visa, individuals are required to present the following:

1. Valid U.S. passport.
2. Affidavit of support, duly legalized by a lawyer, stating the applicant's name, nationality, number of national identification document, address, telephone number, and statement of commitment and ability to pay for travel. A certified photocopy of the identification document of the undersigned to the affidavit must be attached.
3. Round-trip travel tickets.
4. An international credit card, bank card, or travelers check in the applicant's name.
5. Previous two most recent bank statements from the applicant or guarantor.

U.S. companies that require travel of foreign businesspersons to the United States should be advised that visa options are handled via an interagency process. Visa applicants should go to the following links.

State Department Visa Website: [http://travel.state.gov/visa/visa\\_1750.html](http://travel.state.gov/visa/visa_1750.html)

United States Visas.gov: <http://www.unitedstatesvisas.gov/>

U.S. Embassy Guatemala Visa Services:

[http://guatemala.usembassy.gov/visa\\_services.html](http://guatemala.usembassy.gov/visa_services.html)

## Telecommunications

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The use of internet is widely accessible, by computers or laptops. Hotels offer internet telephone service and cellular phone systems can be used in Guatemala City. Calls can be placed to the U.S. without any problem. Cell phones have to be programmed for roaming to Guatemala. Calls can also be placed through hotel operators or directly with AT&T, MCI, Sprint, Comtech Amigo calling cards, or collect. Claro, Telefonica and other international companies are competing in the market, providing telecommunications services, including Internet. There are many public phone booths around the city for use with calling cards.

## Transportation

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Businesspersons can access Guatemala through airlines, several of which have direct flights to the U.S. U.S. airlines operating between Guatemala and the United States are: American Airlines, Delta Airlines, Continental Airlines, and Spirit. Other airlines operating in Guatemala are: TACA, COPA, Iberia and Mexicana de Aviacion. There are direct flights between Guatemala and Miami, Los Angeles, New York, Washington D.C., Dallas, Atlanta, Houston, Chicago, Ft. Lauderdale and Charlotte.

Transportation between airport and hotels is available by taxis. The most important hotels have shuttle service to/from airport. Rent-a-Car companies are available, such as Avis, Hertz, Budget, National, Alamo, etc. However, traffic is very heavy and chaotic in the capital, Guatemala City. It is more advisable to take taxis from the major hotels and dispatch taxis such as Taxis Amarillos (yellow cabs). Public bus transportation is not recommended as it is unsafe.

## Language

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Spanish is the official language in Guatemala. Many firms are accustomed to work in English; however, correspondence should be in Spanish. Catalogs and technical literature should be provided with a careful translation.

## Health

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*Medical Facilities and Health Information:* A full range of medical care is available in Guatemala City, but medical care outside the city is limited. Guatemala's public hospitals frequently experience serious shortages of basic medicines and equipment. Care in private hospitals is generally adequate for most common illness and injuries, and many of the medical specialists working in them are U.S. trained and certified.

*Food:* Most well-known restaurants in Guatemala serve safe food and beverages. As in any part of the world, common sense must prevail. Hot food should be eaten hot, and cold food should be cold. Meat should be well cooked.

*Drink:* Bottled drinks are considered safe. Tap water is not considered potable. Commercially available water bottled in Guatemala from the Salvavidas plant has been judged safe for consumption. Be sure the heat-molded seal on the bottleneck has not been broken. All the reputable restaurants in Guatemala use ice from commercial sources and it is considered safe. Contrary to notices occasionally posted in some

hotels, water from spigots and other non-bottled sources should not be considered safe to drink.

Information on vaccinations and other health precautions such as insect bite protection may be obtained from the Centers of Disease Control and Prevention's hotline for international travelers at 1-877-FYI-TRIP (1-877-394-8747) or via CDC's Internet site at <http://www.cdc.gov/travel/default.aspx>. For information about outbreaks of infectious diseases abroad and further health information for travelers consult the World Health Organization's (WHO) web site at <http://www.who.int/en>.

*Medical Insurance:* The Department of State strongly urges Americans to consult with their medical insurance company prior to traveling abroad to confirm whether their policy applies overseas and whether it will cover emergency expenses such as medical evacuations.

### Local Time, Business Hours, and Holidays

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#### *Local Time:*

The hour in Guatemala is 1 hour behind the Eastern Standard Time, example:

Guatemala: 12:00 noon    Chicago: 12:00 noon    Miami: 1:00 p.m.

This changes to 2 hours during daylight savings time, since Guatemala does not make the switch.

#### *Business Hours:*

Business hours for commercial and industrial offices are between 8:00 a.m. and 6:00 p.m., Monday through Friday. Manufacturing plants and constructions start at 7:00 a.m. and close between 4:00 p.m. and 5:00 p.m. Banks are open to the public at 9:00 a.m. and close at 6:00 p.m. Auto drive-through banking closes at 8:00 p.m. Some banks have automatic tellers that are open all night.

The U.S. Embassy will observe the following holiday schedule (A for U.S. holiday, G for Guatemalan holiday).

January 1	Friday	New Year	(A & G)
January 18	Monday	Martin Luther King's Birthday	(A)
February 15	Monday	Presidents Day	(A)
April 1	Thursday	Holy Thursday	(G)
April 2	Friday	Good Friday	(G)
May 31	Monday	Memorial Day	(A)
June 30	Wednesday	Army Day	(G)
July 5	Monday	U.S. Independence Day	(A)
September 6	Monday	U.S. Labor Day	(A)
September 15	Wednesday	G. Independence Day	(G)
October 11	Monday	Columbus Day	(A)
October 20	Wednesday	Revolution Day	(G)
November 1	Monday	All Saints Day	(G)
November 11	Thursday	Veterans Day	(A)
November 25	Thursday	Thanksgiving Day	(A)
December 24	Friday	Christmas Eve	(A)

**Temporary Entry of Materials and Personal Belongings**[Return to top](#)

The temporary entry of materials and personal belongings for personal use while in Guatemala, such as camera equipment, cellular telephones, laptop computers, etc., is generally not a problem. Larger quantities of products and display systems for participation in trade events or tools and equipment for projects should be imported temporarily with the assistance of a customs broker, or with the help of the particular event organizer.

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- Department of State, travel and travel warning information: [http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1129.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1129.html)
- State Department Visa Website: [http://travel.state.gov/visa/visa\\_1750.html](http://travel.state.gov/visa/visa_1750.html)
- United States Visas.gov: <http://www.unitedstatesvisas.gov/>
- Visa forms: [www.evisasforms.state.gov](http://www.evisasforms.state.gov)
- U.S. Bureau of Consular Affairs: <http://travel.state.gov>  
[http://guatemala.usembassy.gov/niv\\_application\\_process.html](http://guatemala.usembassy.gov/niv_application_process.html)
- World Health Organization: <http://www.who.int/ith> - <http://www.who.int/en>
- Guatemala Embassy, Washington .D.C.: <http://guatemalaembassy.com>
- Customs Assistance: <http://exchanges.state.gov/culprop/efforts.html>
- U.S. Embassy in Guatemala: <http://guatemala.usembassy.gov/>

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## Chapter 9: Contacts, Market Research, and Trade Events

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- [Market Research](#)
- [Trade Events](#)

### Contacts

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#### Oficina Guatemalteca de Acreditacion (OGA)

Address: Calzada Atanasio Tzul 27-32, Zona 12  
01012 Guatemala  
Ph.: [502] 2476-6784 / 87  
Contact: Juan Alberto Hernandez  
E-mail: [jahernandez@mineco.gob.gt](mailto:jahernandez@mineco.gob.gt)  
Web page: <http://www.mineco.gob.gt/Presentacion/LeyesNormas.aspx>

#### National Quality Systems Direction

Address: Calzada Atanasio Tzul 27-32, Zona 12  
01012 Guatemala  
Ph.: [502] 2476-6784 / 87  
Fax: [502] 2476-6777  
Contact: Juan Alberto Hernandez  
Email: [jahernandez@mineco.gob.gt](mailto:jahernandez@mineco.gob.gt)  
Web page: [www.mineco.gob.gt/mineco/calidad/direccion.htm](http://www.mineco.gob.gt/mineco/calidad/direccion.htm)

#### National Center of Metrology

Address: Calzada Atanasio Tzul 27-32, Zona 12  
01012 Guatemala  
Ph.: [502] 2476-6784 / 87  
Contact: Eduardo Bances  
Email: [ebances@mineco.gob.gt](mailto:ebances@mineco.gob.gt)  
Web page: [www.mineco.gob.gt/mineco/calidad/metrologia.htm](http://www.mineco.gob.gt/mineco/calidad/metrologia.htm)

#### Guatemalan Standards Commission (COGUANOR)

Address: Comision Guatemalteca de Normas  
Calzada Atanasio Tzul 27-32, Zona 12  
01012 Guatemala  
Ph.: [502] 2476-6784/87  
Fax: [502] 2476-6785  
Contact: Magin Beteta  
Email: [mbeteta@mineco.gob.gt](mailto:mbeteta@mineco.gob.gt)  
Web page: [www.coguanor.org](http://www.coguanor.org)

#### Consumer Service and Support Board (DIACO)

Direccion de Atencion y Asistencia al Consumidor  
Address: 7<sup>a</sup>. Avenida 7-61 Zona 4  
3er. Nivel

01004 Guatemala  
Ph.: [502] 2361-0776 / 78  
Fax: [502] 2220-8894  
Contact: Mayra Soto  
Email: [diacoquejas@mineco.gob.gt](mailto:diacoquejas@mineco.gob.gt)  
Web page: [www.diacogob.gt](http://www.diacogob.gt)

Ministry of Agriculture  
Unidad de Políticas e Información Estratégica, Área de Información  
Address: 5a. Avenida 8-06, Zona 9  
01009 Guatemala  
Ph.: 502-2334-1048/2361-7786/2360-4425  
Contact: Cesar Adolfo Pernillo  
E-mail: [cpernillogt@yahoo.com](mailto:cpernillogt@yahoo.com)  
Web page: [www.magagob.gt](http://www.magagob.gt)

Ministry of Public Health  
Ministerio de Salud Pública y Asistencia Social de Guatemala  
Address: 6ª Avenida 3-45, Zona 11  
01011 Guatemala  
Ph.: 502-2475-2121 to 22  
Contact: Ludwig Ovalle, Minister  
Email: [info@mispas.gob.gt](mailto:info@mispas.gob.gt)  
Web page: [www.mispas.gob.gt](http://www.mispas.gob.gt)

Valuables and Merchandise Registry (Ministry of the Economy)  
Registro de Valores y Mercancías  
Address: 7a. Avenida 7-61, Zona 4 Nivel 3  
Guatemala, Guatemala 01004  
Ph.: 502-2361-2793 to 96  
Fax: 502-2361-2796  
Contact: Lucrecia Bermejo  
Email: [lbermejo@mineco.gob.gt](mailto:lbermejo@mineco.gob.gt)  
Web page: [www.mineco.gob.gt/mineco/rmvm/index.htm](http://www.mineco.gob.gt/mineco/rmvm/index.htm)

The Regional International Organization for Agriculture and Livestock Sanitation (Organismo Internacional Regional de Sanidad Agropecuaria -- OIRSA) provides technical assistance in matters concerning sanitary measures, standards, technical regulations and the facilitation of trade to Guatemala, Mexico, Belize, El Salvador, Honduras, Nicaragua, Costa Rica and Panama.

OIRSA - Guatemala  
Address: 21a. Avenida 3-12, Zona 15  
010015 Guatemala  
Ph.: 502-2369-5900  
Contact: Julio Cabrera, Director  
E-mail: [jcabrera@oirsa.org.gt](mailto:jcabrera@oirsa.org.gt)  
Web page: [www.oirsa.org.gt](http://www.oirsa.org.gt)

OIRSA – El Salvador  
Address: Calle Ramon Belloso, Final Pasaje Isolda, Colonia Escalon

Ph.: San Salvador, El Salvador  
011-503-2263-1127  
Contact: Guillermo Alvarado, Director  
Email: [dejecutiva@oirsa.org](mailto:dejecutiva@oirsa.org)

### Major Hotels

#### Hotel Clarion Suites

Address: 14 Calle 3-08, Zona 10  
01010 Guatemala  
Ph.: 502-2421-3333  
Fax: 502-2363-5766  
Contact: Omar Martinez, General Manager  
E-mail: [reservas@clarionguatemala.com](mailto:reservas@clarionguatemala.com)  
Web page: <http://www.clarionguatemala.com/>

#### Hotel Westin Camino Real

Address: Calle Camino Real 0-20, Zona 10  
01010 Guatemala  
Ph.: 502-2333-3000  
Fax: 502-2337-4313  
Contact: Sr. Juan Gurrola, General Director  
E-mail: [reservaciones@caminoreal.com.gt](mailto:reservaciones@caminoreal.com.gt)  
Web page: [www.caminoreal.com.gt](http://www.caminoreal.com.gt)

#### Hotel Barcelo Guatemala

Address: 7a. Avenida 15-45, Zona 9  
01009 Guatemala  
Ph.: 502-2320-4000  
Fax: 502-2378-4002  
Contact: Angel Rodriguez, General Manager  
E-mail: [guatemalacity.dir@barcelo.com](mailto:guatemalacity.dir@barcelo.com)  
Web page: [www.barcelo.com](http://www.barcelo.com)

#### Hotel InterContinental

Address: 14 Calle 2-51, Zona 10  
01010 Guatemala  
Ph.: 502-2379-4444  
Fax: 502-2379-4445  
Contact: Pierre Belrthier, General Manager  
E-mail: [inter.gua@gruporeal.com](mailto:inter.gua@gruporeal.com)  
Web page: [www.intercontinental.com](http://www.intercontinental.com)

#### Hotel Princess Reforma

Address: 13 Calle 7-65, Zona 9  
01009 Guatemala  
Ph.: 502-2423-0909  
Fax: 502-2334-4546  
Contact: Vinicio Bobadilla, General Manager  
E-mail: [reservaciones@hotelesprincess.com](mailto:reservaciones@hotelesprincess.com)  
Web page: [www.hotelesprincess.com](http://www.hotelesprincess.com)



Hotel Crowne Plaza Guatemala  
Address: Avenida Las Americas 9-08, Zona 13  
01013 Guatemala  
Ph.: 502-2422-5000  
Fax: 502-2422-5001  
Contact: Estuardo Gudiel  
E-mail: [reservas@cpguatemala.com.gt](mailto:reservas@cpguatemala.com.gt)  
Web page: [www.crowneplaza.com](http://www.crowneplaza.com)

Hotel Radisson & Suites  
Address: 1a. Avenida 12-46, Zona 10  
01010 Guatemala  
Ph.: 502-2421-5151  
Fax: 502-2332-9772  
Contact: Luis Meneses, General Manager  
E-mail: [radisson@radissonguatemala.com](mailto:radisson@radissonguatemala.com)  
Web page: [www.radisson.com](http://www.radisson.com)

Hotel Tikal Futura Guatemala  
Address: Calzada Roosevelt 22-43, Zona 11  
01011 Guatemala  
Ph.: 502-2410-0800  
Fax: 502-2440-4050  
Contact: Jose Antonio Mendez, General Manager  
E-mail: [hotel@grandtikalfutura.com.gt](mailto:hotel@grandtikalfutura.com.gt)  
Web page: [www.grandtikalfutura.com](http://www.grandtikalfutura.com)

Hotel Vista Real  
Address: Km. 9, Final Boulevard Los Proceres, Zona 15  
01015 Guatemala  
Ph.: 502-2427-0000  
Fax: 502-2427-0001  
Contact: Mariano Beltranena, General Manager  
E-mail: [info@vistareal.com](mailto:info@vistareal.com)  
Web page: [www.vistareal.com.gt](http://www.vistareal.com.gt)

Hotel Holiday Inn Guatemala  
Address: 1a. Avenida 13-22, Zona 10  
01010 Guatemala  
Ph.: 502-2421-0000  
Fax: 502-2421-0026  
Contact: Carlos Roesch, General Manager  
E-mail: [reservaciones@hinn.com.gt](mailto:reservaciones@hinn.com.gt)  
Web page: [www.hinn.com.gt](http://www.hinn.com.gt)

Hotel Mercure Casa Veranda  
Address: 12 Calle 1-24, Zona 10  
Ph: 502-2411-4100  
Fax: 502-2411-4117  
Contact: Cesar Bernal, General Manager

E-mail: [reserves@mercurecasaveranda.com.gt](mailto:reserves@mercurecasaveranda.com.gt)  
Web page: [www.accorhotels.com](http://www.accorhotels.com)

*U.S. Embassy Trade-Related Contacts*

Patricia Wagner  
Senior Commercial Officer  
Guatemala  
[patricia.wagner@mail.doc.gov](mailto:patricia.wagner@mail.doc.gov)

Robert Hoff  
Regional Agricultural Counselor  
[Robert.hoff@fas.usda.gov](mailto:Robert.hoff@fas.usda.gov)

Karla Tay  
Agricultural Marketing Specialist  
[Karla.Tay@fas.usda.gov](mailto:Karla.Tay@fas.usda.gov)

Drew Blakeney  
Political and Economic Counselor  
[BlakeneyD@state.gov](mailto:BlakeneyD@state.gov)

Brian Harris  
Economic Officer  
[Harrisbf2@state.gov](mailto:Harrisbf2@state.gov)

Wayne Nilsestuen  
Director, USAID  
[Wnilsestuen@usaid.gov](mailto:Wnilsestuen@usaid.gov)

*Country Trade or Industry Associations in Key Sectors*

American Chamber of Commerce of Guatemala, AMCHAM  
Address: 5<sup>a</sup>. Ave. 5-55, Zona 14  
Edificio Europlaza, Nivel 5, Torre I  
01014 Guatemala  
Ph.: [502] 2417-0800  
Fax: [502] 2417-0777  
Contact: Licenciado Juan Pablo Carrasco, President  
Licenciada Carolina Castellanos, Executive Director  
E-mail: [director@amchamguate.com](mailto:director@amchamguate.com)  
Web page: [www.amchamguate.com](http://www.amchamguate.com)

Asociacion de Gerentes de Guatemala - AGG  
(Guatemalan Managers Association)  
Address: 3a. Avenida 13-78, Zona 10  
Edificio Citi Bank nivel 4  
01010 Guatemala  
Ph.: 502-2427-4900  
Fax: 502-2427-4971  
Contact: Alvaro Urruela, Executive Director

Jose Ricardo Mansilla, President  
E-mail: [presidencia@agg.org.gt](mailto:presidencia@agg.org.gt)  
Web page: [www.agg.org.gt](http://www.agg.org.gt)

Asociacion Gremial de Exportadores de Productos No Tradicionales  
AGEXPORT- (Association of Exporters of Non-Traditional Products)

Address: 15 Avenida 14-72, Zona 13  
01013 Guatemala  
Ph.: 502-2422-3400  
Fax: 502-2422-3434  
Contact: Fanny de Estrada, Executive Director  
Carlos Amador, President  
E-mail: [informacion@agexport.org.gt](mailto:informacion@agexport.org.gt), [camador@gysa.com](mailto:camador@gysa.com)  
Web page: [www.export.com.gt](http://www.export.com.gt)

Comite Coordinador de Asociaciones Agricolas,  
Comerciales, Industriales y Financieras (CACIF)  
(Coordinating Committee of Agricultural, Commercial, Industrial and Financial  
Associations)

Address: Ruta 6 9-21, Zona 4  
Edificio Camara de Industria, Nivel 9  
01004 Guatemala  
Ph.: 502-2331-0651 / 2332-1794  
Fax: 502-2334-7025  
Contact: Roberto Ardon, Executive Director  
Jorge Montenegro Passarelli, President  
E-mail: [cacif@cacif.org.gt](mailto:cacif@cacif.org.gt)  
Web page: [www.cacif.org.gt](http://www.cacif.org.gt)

Camara de Industria de Guatemala  
(Guatemalan Chamber of Industry)

Address: Ruta 6, 9-21 Zona 4  
Edificio Camara de Industria, Nivel 12  
01004 Guatemala  
Ph.: 502-2380-9000  
Fax: 502-2380-9110  
Contact: Ing. Juan Antonio Augusto, President  
E-mail: Asistente: Gladys Fuentes  
[gfuentes@industriaguatemala.com](mailto:gfuentes@industriaguatemala.com)  
Web page: [www.industriaguatemala.com](http://www.industriaguatemala.com)

Cámara de Comercio de Guatemala  
(Guatemala's Chamber of Commerce)

Address: 10 Calle 3-80, Zona 1  
01001 Guatemala  
Ph.: 502-2417-2700  
Fax: 502-2220-9393  
Contact: Jorge Briz Abularach, President  
E-mail: [info@camaradecomercio.org.gt](mailto:info@camaradecomercio.org.gt)  
Web page: [www.negociosenguatemala.com](http://www.negociosenguatemala.com)

Cámara Empresarial de Guatemala (CAEM)  
(Entrepreneurial Chamber of Guatemala)  
Address: Ruta 6, 9-21 Zona 4  
Edificio Cámara de Industria, Nivel 9  
01004 Guatemala  
Ph.: 502-2334-6878 to 80  
Fax: 502-2331-6513  
Contact: Roberto Fernandez Botran, President  
Edgar Maselli, Vice-President  
Lic. Mario Yarzebski, Coordinador General  
Lic. Debora Cumes, Coordinadora Técnica  
E-mail: [cencit@cencit.org](mailto:cencit@cencit.org)  
Web page: N/A

Cámara Guatemalteca de la Construcción  
(Guatemalan Construction Industry Chamber)  
Address: Ruta 4, 3-56, Zona 4  
01004 Guatemala  
Ph.: 502-2387-2727  
Fax: 502-2387-2730  
Contact: Sonia Jerez, Director  
Alvaro Mayorga, President  
E-mail: [psolis@construguate.com](mailto:psolis@construguate.com)  
Web page: [www.construguate.com.gt](http://www.construguate.com.gt)

Asociación Nacional del Café (ANACAFE)  
(National Coffee Association)  
Address: 5a. Calle 0-50, Zona 14  
01014 Guatemala  
Ph.: [502] 2421-3700  
Fax: [502] 2333-7730 / 2373-3138  
Contact: Rodolfo Gonzalez, General Manager  
Ricardo Villanueva, President  
E-mail: [patriciac@anacafe.org](mailto:patriciac@anacafe.org)  
Web page: [www.anacafe.org](http://www.anacafe.org)

#### *Country Government Offices*

Ministerio de Economía  
(Ministry of Economy)  
Address: 8a. Avenida 10-43, Zona 1  
01001 Guatemala  
Ph.: 502-2412-0200 ext.6101-6102  
Fax: 502-2238-2413  
Contact: Ruben Morales, Minister  
E-mail: [infonegocios@mineco.gob.gt](mailto:infonegocios@mineco.gob.gt)  
Web page: [www.mineco.gob.gt](http://www.mineco.gob.gt)

Ministerio de Finanzas Publicas  
(Ministry of Public Finances)  
Address: 8a. Avenida y 21 Calle, Zona 1  
01001 Guatemala  
Ph.: 502-2248-5001 to 5006  
Fax: 502-2248-5005  
Contact: Juan Alberto Fuentes Knight, Minister  
E-mail: N/A  
Web page: [www.minfin.gob.gt](http://www.minfin.gob.gt)

Ministerio de Comunicaciones, Infraestructura y Vivienda  
(Ministry of Communications, Transportation and Public Works)  
Address: 8a. Avenida y 15 Calle, Zona 13  
01013 Guatemala  
Ph.: 502-2223-4000  
Fax: 502-2361-3521  
Contact: Guillermo Castillo, Minister  
E-mail: [comunicaciones@comunicaciones.gov.gt](mailto:comunicaciones@comunicaciones.gov.gt)  
Web page: [www.civ.gob.gt](http://www.civ.gob.gt)

Ministerio de Trabajo y Prevision Social  
(Ministry of Labor and Social Welfare)  
Address: 7ª. Avenida 3-33, Zona 9  
Edificio Torre Empresarial  
01001 Guatemala  
Ph.: 2422-2500  
Fax: 502-2422-2519  
Contact: Edgar Alfredo Rodriguez, Minister  
E-mail: [ministro@mintrabajo.gob.gt](mailto:ministro@mintrabajo.gob.gt)  
Web page: [www.mintrabajo.gob.gt](http://www.mintrabajo.gob.gt)

Ministerio de Relaciones Exteriores  
(Ministry of Foreign Affairs)  
Address: Avenida Reforma 4-47, Zona 10  
01010 Guatemala  
Ph.: 502-2410-0000  
Fax: 502-2331-8410  
Contact: Haroldo Rodas Melgar, Minister  
E-mail: [webmaster@minex.gob.gt](mailto:webmaster@minex.gob.gt)  
Web page: [www.minex.gob.gt](http://www.minex.gob.gt)

Ministerio de Energia y Minas  
(Ministry of Energy and Mines)  
Address: Diagonal 17 29-78, Zona 11  
01011 Guatemala  
Ph.: 502-2419-6451 y 59  
Fax: 502-2476-3175  
Contact: Carlos Meany, Minister  
E-mail: [relapubli@mem.gob.gt](mailto:relapubli@mem.gob.gt)

Web page: [www.mem.gob.gt](http://www.mem.gob.gt)

Ministerio de Agricultura, Ganaderia y Alimentacion  
(Ministry of Agriculture, Livestock and Nutrition - MAGA)

Address: 7a. Avenida 12-90, Zona 13  
Edificio Monja Blanca, 2do. Nivel  
01013 Guatemala

Ph.: 502-2413-7000  
Fax: 502-2413-7006  
Contact: Mario Aldana, Minister  
E-mail: [magadest@intelnet.net.gt](mailto:magadest@intelnet.net.gt)  
Web page: [www.maga.gob.gt](http://www.maga.gob.gt)

Ministerio de Gobernacion  
(Ministry of Government)

Address: 6a. Avenida 13-71, Zona 1  
01001 Guatemala

Ph.: 502-2413-8888  
Fax: 502-2413-8888  
Contact: Raul Velasquez, Minister  
E-mail: [mingober@intelnet.net.gt](mailto:mingober@intelnet.net.gt)  
Web page: [www.mingob.gob.gt](http://www.mingob.gob.gt)

Ministerio de Salud Publica y Asistencia Social  
(Ministry of Public Health and Social Assistance)

Address: 6a. Avenida 3-45, Zona 11  
01011 Guatemala

Ph.: 502-2475-2121  
Fax: 502-2475-1125  
Contact: Ludwig Ovalle , Minister  
E-mail: [sigsa@mspas.gob.gt](mailto:sigsa@mspas.gob.gt)  
Web page: [www.mspas.gob.gt](http://www.mspas.gob.gt)

Ministerio de Ambiente y Recursos Naturales  
(Ministry of Environment and Natural Resources)

Address: 20 Calle 28-58, Zona 10  
01010 Guatemala

Ph.: 502-2423-0500  
Fax: 502-2423-0500x 1204  
Contact: Luis Alberto Ferrate, Minister  
E-mail: [scastillo@marn.gob.gt](mailto:scastillo@marn.gob.gt)  
Web page: <http://www.marn.gob.gt>

Instituto Guatemalteco de Turismo -INGUAT-  
(Guatemalan Tourism Institute)

Address: 7a. Avenida 1-17, Zona 4  
01004 Guatemala

Ph.: 502-2421-2800  
Fax: 502-2421-2879  
Contact: Rodolfo Robles, Director  
E-mail: [info@inguat.gob.gt](mailto:info@inguat.gob.gt)

Web page: [www.visitguatemala.com](http://www.visitguatemala.com)

**Banco de Guatemala (BANGUAT)**  
(Bank of Guatemala)

Address: 7a. Avenida 22-01, Zona 1  
01001 Guatemala  
Ph.: 502-2429-6000/2485-6000  
Fax: 502-2253-4035  
Contact: Maria Antonieta de Bonilla, President  
Manuel Alonso, General Manager  
E-mail: [crga@banguat.com.gt](mailto:crga@banguat.com.gt)  
Web page: [www.banguat.gob.gt](http://www.banguat.gob.gt)

**Ventanilla Unica de Inversiones - Ministerio de Economia**  
(One-Stop Investment Office - Ministry of Economy)

Address: 8a. Avenida 10-43, Zona 1  
01001 Guatemala  
Ph.: 502-2361-0776  
Fax: 502-2412-0200  
Contact: Karina Posadas, Director  
E-mail: [inversiones@mail.mineco.gob.gt](mailto:inversiones@mail.mineco.gob.gt)  
Web Page: [www.mineco.gob.gt](http://www.mineco.gob.gt)

**Intendencia de Aduana**  
(Central Customs)

Address: 7a. Avenida 3-73, Zona 9  
01009 Guatemala  
Ph.: 502-2329-7070 Ext.1701/02  
Fax: 502-23627528  
Contact: Raúl Augusto Díaz Monroy  
E-mail: [radiazno@sat.gob.gt](mailto:radiazno@sat.gob.gt)  
Web page: [www.sat.gob.gt](http://www.sat.gob.gt)

**Registro Mercantil (Mercantile Registry)**

Address: 7a Avenida 7-61, Zona 4  
01004 Guatemala  
Ph: 2331-0119 /Ext 225  
Fax: 502-2334-1754 or  
Contact: Arturo Herrador Sandoval, Director  
E-mail: [info@registromercantil.gob.gt](mailto:info@registromercantil.gob.gt)  
Web page: [www.registromercantil.gob.gt](http://www.registromercantil.gob.gt)

**Invest in Guatemala**

Address: 10ª. Calle 3-17, Zona 10  
Edificio Aseguradora General, 4º Nivel  
01010 Guatemala  
Ph.: 502-2421-2484  
Fax: 502-2421-2460  
Contact: Julio Héctor Estrada, Executive Director  
E-mail: [jhestrada@pronacom.org](mailto:jhestrada@pronacom.org)  
Web Page: [www.investinguatemala.org](http://www.investinguatemala.org)

Instituto Nacional de Electrificación (INDE)  
(National Electrification Institute)

Address: 7a. Avenida 2-29, Zona 9  
01009 Guatemala  
Ph.: 502-2422-1920  
Fax: 502-2334-5811  
Contact: Alberto Cohen, General Manager  
E-mail: [gerenciaservicios@inde.gob.gt](mailto:gerenciaservicios@inde.gob.gt)  
Web page: <http://www.inde.gob.gt/portal/home.aspx>

Telecomunicaciones de Guatemala, S.A. (TELGUA)

Address: 7a. Avenida 12-39, Zona 1  
01001 Guatemala  
Ph.: 502-2230-4555 or 2323-2000  
Contact: Julio Carlos Porrás, General Manager  
E-mail: [carmen.palmieri@claro.com.gt](mailto:carmen.palmieri@claro.com.gt)  
Web page: <http://www.claro.com.gt/Movil.aspx>

*Country Market Research Firms*

Note: There are no known firms in Guatemala that are dedicated exclusively to market research. The following firms provide a wide range of business consulting services:

Ernst & Young, S.A.

Address: 5a. Avenida 5-55, Zona 14  
Edif. Europlaza Torre I  
Penthouse Nivel 19 y 20  
01014, Guatemala CA  
Ph.: 502-2386-2400  
Fax: 502-2385-5951  
Contact: Tulischth Diaz, Director  
E-mail: [eyguate@intelnet.net.gt](mailto:eyguate@intelnet.net.gt)  
Web page: [www.ey.com](http://www.ey.com)  
Languages: English-Spanish  
Accounting Specialization: Auditing, Financial Advisor, Consultants, Income Tax, Economic Feasibilities.

KPMG Guatemala

Address: 7a. Avenida 5-10, Zona 4  
Torre I, Nivel 16 Centro Financiero  
01004 Guatemala  
Ph.: 502-2334-2628  
Fax: 502-2331-5477  
Contact: Lic. Felipe Gómez, Director  
E-mail: [kpmg@kpmg.com.gt](mailto:kpmg@kpmg.com.gt)  
Web page: [www.kca.kpmg.com](http://www.kca.kpmg.com)

PriceWaterHouse Coopers, S.A.

Address: 6a. Calle 6-38, Zona 9  
Edificio Tivoli Plaza, Nivel 2 Of. 214



01009 Guatemala  
Ph.: 502-2420-7800  
Fax: 502-2331-2819  
Contact: Ricardo Molina, Director  
E-mail: [ricardo.molina@gt.pwc.com](mailto:ricardo.molina@gt.pwc.com)  
Web page: [www.pwcglobal.com](http://www.pwcglobal.com)

Lara, Aranky, Ramos & Asociados, S.C. -Deloitte-  
Address: 5a. Avenida 5-55, Zona 14  
Edificio Euro Plaza Torre IV Nivel 8 /  
010014 Guatemala  
Ph.: 502-2384-6500  
Fax: 502-2384-6555  
Contact: Licenciado Rolando Lara, Socio  
E-mail: [rlara@deloitte.com](mailto:rlara@deloitte.com)  
Web page: [www.deloitte.com](http://www.deloitte.com)

Horwath de Guatemala, S.A.  
Address: Avenida La Reforma 7-62, Zona 9  
Edificio Aristos Reforma, Of. 802  
01009 Guatemala  
Ph.: 502-2362-9222  
Fax: 502-2362-9221  
Contact: Sr. Julio Cesar Vásquez  
E-mail: [horwath@horwathguate.com](mailto:horwath@horwathguate.com)  
Web page: [www.horwath.com.gt](http://www.horwath.com.gt)

#### *Country Commercial Banks*

BAM  
Address: 7a. Avenida 7-30, Zona 9  
01009 Guatemala  
Ph.: 502-2338-6565 to 2338-6666  
Fax: 502-2338-6566  
Contact: Lic. Christian Schneider, General Manager  
E-mail: [fabiola.mendez@bam.com.gt](mailto:fabiola.mendez@bam.com.gt)  
Web page: [www.agromercantil.com.gt](http://www.agromercantil.com.gt)

Banco G&T Continental  
Address: 6a. Avenida 9-08, Zona 9  
01009 Guatemala  
Ph.: 502-2338-6801 or 2338-6838 Ext. 1383  
Fax: 502-2338-6868  
Contact: Licenciado Flavio Montenegro, General Manager  
E-mail: [consultas@gytcontinental.com.gt](mailto:consultas@gytcontinental.com.gt)  
Web page: [www.gytcontinental.com.gt](http://www.gytcontinental.com.gt)

Banco de Occidente, S.A.  
Address: 7a. Avenida 7-33, Zona 9  
Nivel 2  
01009 Guatemala

Ph.: 502-2279-9000 / 9370  
Fax: 502-2339-7803 / 26  
Contact: Sr. Pedro Aguirre, Presidente  
E-mail: [occidente@occidente.com.gt](mailto:occidente@occidente.com.gt)  
Web page: [www.occidentecorp.com.gt](http://www.occidentecorp.com.gt), [www.occidente.com.gt](http://www.occidente.com.gt)

Banco Industrial, S.A.

Address: Edificio Centro Financiero, Torre 1  
7a. Avenida 5-10, Zona 4  
01004 Guatemala

Ph.: 502-2420-3000 / 1717  
Fax: 502-2360-8621  
Contact: Sr. Diego Pulido, General Manager  
E-mail: [ddiegopulido@bi.com.gt](mailto:ddiegopulido@bi.com.gt)  
Web page: [www.bi.com.gt](http://www.bi.com.gt)

Banco Inmobiliario, S.A.

Address: 7a. Avenida 11-59, Zona 9  
Edificio Galerías España  
01009 Guatemala

Ph.: 502-2429-3700 or 2339-3777  
Fax: 502-2332-1418  
Contact: Lic. Carlos Estrada, General Manager  
E-mail: [carlos\\_estrada@bcoinmob.com.gt](mailto:carlos_estrada@bcoinmob.com.gt)  
Web page: <http://www.bancoinmobiliario.com.gt/index.php>

Banco Internacional, S.A.

Address: Avenida La Reforma, 15-85, Zona 10  
Edificio Torre Internacional  
01010 Guatemala

Ph.: 502-2277-3666 ext. 2521  
Fax: 502-2277-3693  
Contact: Sr. Juan Manuel Ventas, General Manager  
E-mail: [gerencia@bancointernacional.com.gt](mailto:gerencia@bancointernacional.com.gt)  
Web page: [www.bancointernacional.com.gt](http://www.bancointernacional.com.gt)

Banco de Desarrollo Rural, S.A. (BANRURAL)

Address: Avenida La Reforma 9-30, Zona 9  
01009 Guatemala

Ph.: 502-2426-1100 / 2426-1200/ 2339-8888  
Fax: 502-2360-9740  
Contact: Sr. Adolfo Fernando Peña, General Manager  
E-mail: [antonieta.samayoa@banrural.com.gt](mailto:antonieta.samayoa@banrural.com.gt)  
Web page: [www.banrural.com.gt](http://www.banrural.com.gt)

Banco Promerica, S.A

Address: Edificio Reforma Zona 10  
Nivel 2  
01009 Guatemala

Ph.: 502-2423-6666  
Fax: 502-2361-7217

Contact: Ing. Edgar Bran, Gerente General  
E-mail: Asistente: Silvia Pineda  
[Sdepineda@bancopromerica.com.gt](mailto:Sdepineda@bancopromerica.com.gt)  
Web page: [www.bancopromerica.com.gt](http://www.bancopromerica.com.gt)

ViviBanco, S.A.

Address: 13 Calle 5-46 Zona 9  
01009 Guatemala  
Ph.: 502-2277-7878  
Fax: 502-2277-7805  
Contact: Sr. Giovano Contreras, Manager  
E-mail: [scontreras@vivibanco.com.gt](mailto:scontreras@vivibanco.com.gt)  
Web page: [www.vivibanco.com](http://www.vivibanco.com)

Banco de los Trabajadores

Address: Avenida Reforma 6-20, Zona 9  
01009 Guatemala  
Ph.: 502-2423-4444  
Fax: 502-233  
Contact: Lic. Ronald García, General Manager  
E-mail: [servicio\\_cliente@bantrab.net.gt](mailto:servicio_cliente@bantrab.net.gt)  
Web page: [www.bantrab.com.gt](http://www.bantrab.com.gt)

Citibank Guatemala

Address: 3a Ave. 13-78 Zona 10 Nivel 16, Torre Citibank  
01010 Guatemala  
Ph.: 502-2336-8000  
Fax: 502-2366-7695  
Contact: Sr. Juan Miro, General Manager  
E-mail: [juan.miro@citi.com](mailto:juan.miro@citi.com) and [karina.sagastume@citigroup.com](mailto:karina.sagastume@citigroup.com)  
Web page: [www.citibank.com/guatemala](http://www.citibank.com/guatemala)

Banco de América Central

Address: 7 ave. 6-26 Zona 9  
Plaza Roble  
01010 Guatemala  
Ph.: 502-2337-6161  
Fax: 502-2337-6161  
Contact: Lic. Juan Jose Viaud, General Manager  
E-mail: [bacinfo@bac.com.gt](mailto:bacinfo@bac.com.gt)  
Web page: [www.bac.net/guatemala/esp/banco/index.html](http://www.bac.net/guatemala/esp/banco/index.html)

Banco CentroAmericano de Integración Económica (BCIE)

Address: 16 Calle 7-44, Zona 9  
01009 Guatemala  
Ph.: 502-2331-1260 or 2410 - 5300  
Fax: 502-2410-5391  
Contact: Ing. Luis Fernando Andrade, Regional Manager  
E-mail: [rvalladares@bcie.org](mailto:rvalladares@bcie.org)  
Web page: [www.bcie.org](http://www.bcie.org)

Banco de Antigua

Address: 12 Calle 4-30, Zona 9  
01009 Guatemala  
Ph.: 502-2420-5555  
Fax: 502-24205559  
Contact: Ing. Hector Morales Marcucci, General Manager  
E-mail: [hmorales@bantigua.com.gt](mailto:hmorales@bantigua.com.gt)  
[rgarzar.com.gt](http://rgarzar.com.gt)  
Web page: N/A

Banco Reformador

Address: Boulevard Los Proceres, 18 calle  
10-75 Zona 10  
01009 Guatemala  
Ph.: 502-2337-4857  
Fax: 502-2363-0019  
Contact: Sr. Rodrigo Adolfo Ávila, General Manager  
E-mail: [bancoreformador@bancoreformador.com](mailto:bancoreformador@bancoreformador.com)  
Web page: [www.bancoreformador.com/index.asp](http://www.bancoreformador.com/index.asp)

*Multilateral Development Bank Offices*

Inter-American Development Bank (IADB)

Address: 3ª. Avenida 13-78, Zona 10  
Edificio Citigroup, Nivel 10  
01010 Guatemala  
Ph.: 502-2379-9393  
Fax: 502-2379-9301  
Contact: Juan Jose Taccone, Representative  
E-mail: [bidguatemala@iadb.org](mailto:bidguatemala@iadb.org)  
Web page: [www.iadb.org](http://www.iadb.org)

World Bank (WB)

Address: 13 Calle 3-40, Zona 10  
Edificio Atlantis, Nivel 14, Ofic. 1402  
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Trade Information Center - U.S. Department of Commerce – TPCC -

Ph.: 1-800-USA-TRADE

U.S. Department of Commerce

International Trade Administration

Office of North and Central America and the Caribbean

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Washington, D.C. 20230  
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Export-Import Bank of the United States (EXIMBANK)  
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U.S. Overseas Private Investment Corporation (OPIC)  
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## Market Research

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To view market research reports produced by the U.S. Commercial Service please go to the following website: <http://www.export.gov/marketresearch.html> and click on Country and Industry Market Reports.

Please note that these reports are only available to U.S. citizens and U.S. companies. Registration to the site is required, but free of charge.

Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents.html>

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## Chapter 10: Guide to Our Services

The U.S. Commercial Service offers customized solutions to help your business enter and succeed in markets worldwide. Our global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers

For more information on the services the U.S. Commercial Service offers U.S. businesses, please click on the link below.

<http://www.buyusa.gov/guatemala/en/servicesprovidedbycsguatem.html>

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U.S. exporters seeking general export information/assistance or country-specific commercial information should consult with their nearest **Export Assistance Center** or the **U.S. Department of Commerce's Trade Information Center** at **(800) USA-TRADE**, or go to the following website: <http://www.export.gov>

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.