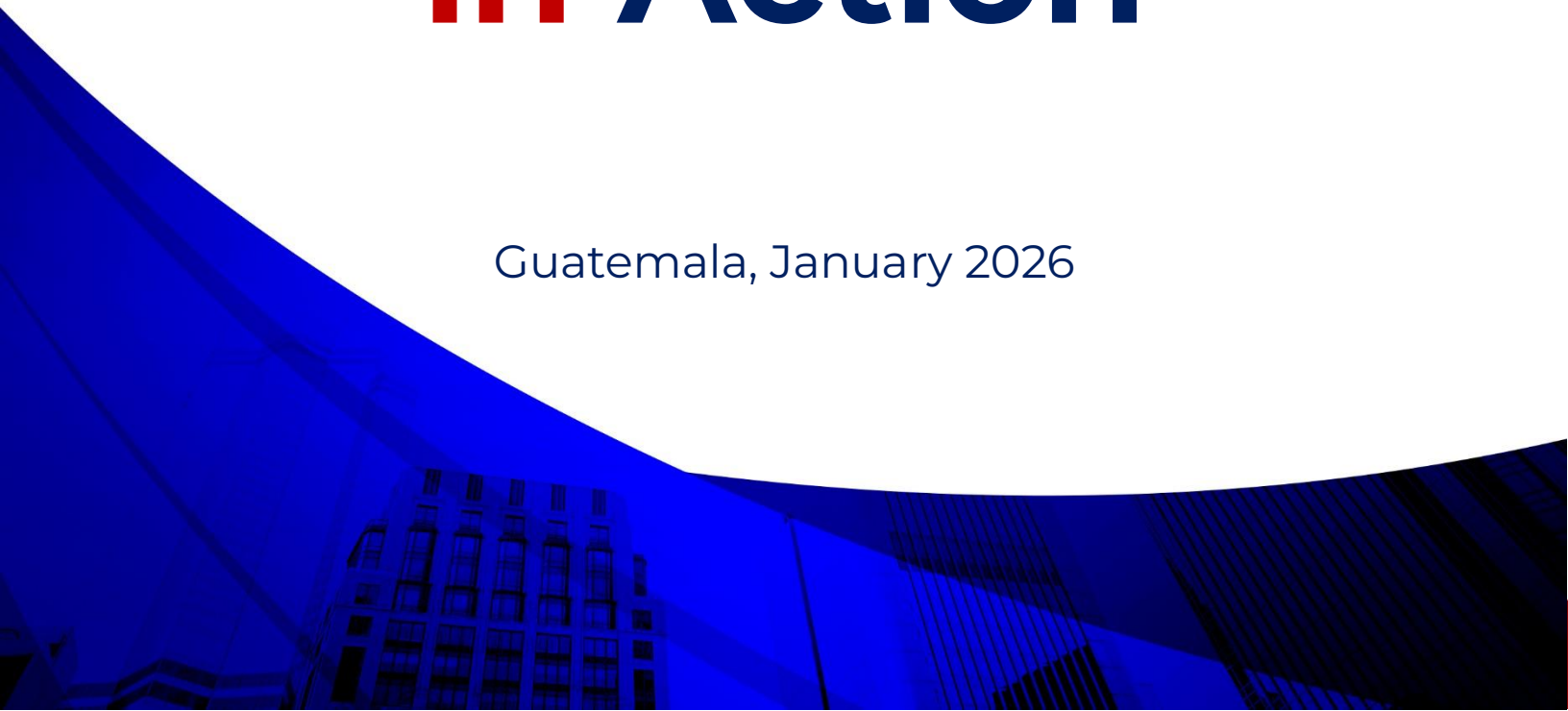




AmCham **in** Action

Guatemala, January 2026



AMCHAM IN ACTION 2026

AmCham in Action 2026 reflects our ongoing commitment to building a more competitive, transparent, and prosperous environment for Guatemala. Through a strategic vision and concrete actions, this document outlines the institutional priorities of the American Chamber of Commerce in Guatemala (AmCham Guatemala), aimed at improving the country's business climate, promoting sustainable development, and strengthening the bilateral relationship with the United States.

AmCham Guatemala is the most influential binational chamber in the country, with a proven record in promoting free trade, foreign direct investment, and regional economic integration. Our membership—composed by more than 500 companies across diverse sectors—is a key engine for formal job creation, innovation, and technology transfer. The membership includes companies with HQ in the US, companies HQ in Guatemala and with investments in the US, and medium and big Guatemalan companies. This diversity positions us as a strategic actor in shaping and advancing public policies focused on economic growth and institutional strengthening.

In today's global context—shaped by economic transitions, geopolitical shifts, and technological disruption—Guatemala faces both significant challenges and strategic opportunities. Building an open economy, integrated into resilient value chains and supported by the rule of law, requires coordinated efforts among the public and private sectors and international partners. AmCham serves as a catalyst for dialogue, a technical thought leader, and a trusted bridge between business priorities and public policies.

Over the past year, AmCham has actively taken part in technical roundtables, multisectoral coalitions, and bilateral forums to build joint solutions to Guatemala's most pressing challenges. We have supported key reforms in infrastructure, trade facilitation, foreign investment attraction, and institutional strengthening, while promoting regulatory improvement and international compliance.

This report finds and prioritizes three strategic pillars to improve Guatemala's business climate: the development of critical infrastructure, rule of law and institutional strengthening, and sustainable economic development. Each of these areas is addressed in depth, highlighting both structural challenges and actionable opportunities, and offering concrete reform proposals, technical partnerships, and collaboration mechanisms.

The relationship between Guatemala and the United States stays a cornerstone of the country's development. Beyond trade and investment, the bilateral alliance is essential for regional stability, hemispheric security, and shared prosperity. AmCham's efforts align not only with the interests of its members, but with a broader national vision: a more connected, competitive, and inclusive Guatemala.

Key Actions to Improve the Business Climate in Guatemala in 2026

I. Infrastructure Development

- Implementation of the Strategic Road Infrastructure Law
- Strengthening the legal and institutional framework of the port system through administrative reforms, and a new law
- Funding and strengthening the Public Private Partnership Institution (Agencia Nacional de Infraestructura)
- Promote the approval of the new Public Procurement Law
- Incentivize more public and private investment on Infrastructure

II. Rule of Law

- A correct and transparent election of the directors of the following institutions that will take place in 2026: Electoral Tribunal, Constitutional Court, Attorney General, Comptroller General, Superintendency of Banks, President of the Central Bank,
- Implementation of the Competition Law
- Tax legal certainty

III. Economic Development

- Implementation of the Agreement between the USA and Guatemala on reciprocal trade
- Trade facilitation
- Attraction of foreign direct investment
- Water and Agricultural Innovation Frameworks

I. Infrastructure Development

Strategic infrastructure continues to be one of the most decisive drivers of competitiveness, productivity, and investment in Guatemala. While recent years have seen advances in planning, technical cooperation, and policy discussion, persistent constraints in execution capacity, institutional coordination, and regulatory coherence continue to generate bottlenecks that elevate coordination costs, delay projects, and weaken economic performance.

To unlock its full productive potential, Guatemala needs a comprehensive and forward-looking infrastructure strategy aimed at strengthening national connectivity and reducing structural inefficiencies across the coordination chain. This includes expanding territorial integration by extending road connectivity to productive regions and border areas, restoring and preserving the existing road network, much of which is still in critical condition, and improving operational efficiency at ports, customs facilities, and key border crossings. Together, these actions are essential to reduce transit times, enhance road safety, and improve access to domestic and international markets.

These challenges are particularly visible along strategic corridors such as the Pacific coordination axis and high-traffic border crossings, where congestion, deterioration, and procedural inefficiencies translate directly into higher trade costs, reduced reliability for exporters and importers, and increased risks for road users.

Strategic Road Infrastructure Law

The General Road Infrastructure Law stands for a central opportunity to modernize Guatemala's approach to road development and management. Although the law has been approved, its effective implementation stays a priority for 2026. AmCham continues to provide institutional accompaniment and technical follow-up, emphasizing the importance of regulatory clarity, long-term planning instruments, and implementation mechanisms that promote efficiency and accountability.

Moving forward, it is essential to transition toward modern infrastructure management models that incorporate private-sector participation, risk-sharing mechanisms, and performance-based standards. **Public-private partnerships** and similar frameworks can play a critical role in improving execution, ensuring proper maintenance, and preventing further deterioration that negatively affects competitiveness and road safety. At the same time, strengthening institutions and updating the regulatory framework for infrastructure development are necessary to restore investor confidence and unlock access to modern financing tools. Establishing a predictable, technically grounded, and long-term regulatory environment is key to transforming the current infrastructure system.

Port System Modernization

Ports manage close to 85% of Guatemala's international trade, making their efficiency and reliability central to national economic performance. In 2026, efforts are still focused on strengthening institutional governance, legal certainty, and strategic planning across the port system.

Key developments include the implementation of the Law on the Designated Authority and the legislative discussion of the General Law of the National Port System. AmCham maintains direct policy engagement in this process, supporting regulatory development, balanced governance structures, and transitional mechanisms that protect existing investments while promoting competition and efficiency.

In parallel, technical cooperation with the U.S. Army Corps of Engineers continues to advance port and multimodal infrastructure modernization, reinforcing bilateral collaboration, improving coordination performance, and strengthening investor confidence.

AmCham Guatemala recognizes the importance of these reforms and underscores the need for legal clarity, institutional balance, and meaningful private-sector participation to ensure their success. Guatemala has made considerable progress toward building a more efficient and competitive port system. Aligning legal reform, institutional

strengthening, and U.S. technical cooperation presents a unique opportunity to deepen bilateral trade, enhance national competitiveness, and contribute to regional security. AmCham stands ready to work with Congress, the Executive, and international partners to ensure that port reform becomes not only a regulatory milestone, but a platform for long-term economic transformation.

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Public-Private Partnerships (PPPs)

Traditional infrastructure development models in Guatemala have proven insufficient to meet the country's growing needs. Budget constraints, institutional limitations, and historically low execution rates have delayed or stalled strategic projects. In this context, public-private partnerships are a practical and efficient mechanism to advance complex, high-impact, and long-term infrastructure investments.

The implementation of reforms to the PPPs framework stays a strategic opportunity for 2026. Legislative discussions look to broaden the scope of PPPs, strengthen institutional capacities, and prove clearer and more predictable rules for project preparation, tendering, and execution. Advancing these reforms is essential to mobilize private capital for infrastructure development, including projects at the subnational level and in social sectors.

Guatemala has a relevant portfolio of projects with high potential under this model, including the modernization of the international airport, high-traffic highways, penitentiary infrastructure, and regional hospitals. Promoting PPPs will allow the country to raise infrastructure standards to international levels, increase productivity, generate employment, and attract investment, translating into sustainable economic development and improved quality of life.

Public Procurement Reform

On November 25, 2025, the Minister of Finance presented initiative No. 6688, the Public Procurement Law, to the Congressional Economic Affairs Committee. Unlike earlier reforms, this initiative proposes a new legal framework to replace the current Public Procurement Law (Decree 57-92), which dates back more than three decades.

The proposed law looks to simplify procurement procedures, diversify contracting modalities, and expand participation by national and international suppliers, with the aim of improving efficiency, competition, and service delivery. Authorities emphasized that the initiative aims to transform the public procurement system to ensure proper use of public resources, promote transparency, and strengthen accountability.

The initiative draws on the best international practices and was developed through a consultation process involving legislative advisors, the private sector, civil society, and public institutions. It also received technical aid from the Inter-American Network on Government Procurement (RIGC–OAS), the U.S. Commercial Law Development Program (CLDP), and procurement agencies from multiple Latin American countries. If approved, the law could stand for a structural improvement in public fiscal management, transparency, and institutional credibility.

Incentivize more public and private investment

Infrastructure development can accelerate if Guatemala focuses on three core factors: productivity—particularly human capital—structural reforms, and total investment. Investment can come from public, private, or foreign sources, but unlocking higher levels of investment requires a combination of regulatory reforms and a budgetary framework that prioritizes capital expenditure.

Over the past several years, public investment in Guatemala has steadily declined as a share of the national budget, falling to less than 17% in the most recent fiscal year. This trend constrains the country's ability to expand, maintain, and modernize strategic

infrastructure. Reversing it is essential not only to close infrastructure gaps, but also to improve competitiveness, crowd in private investment, and support long-term economic growth.

II. Rule of Law

Legal Certainty is still a decisive factor shaping investment decisions and long-term economic growth in Guatemala. Persistent institutional fragility, regulatory inconsistency, and legal uncertainty continue to affect investor confidence, particularly in infrastructure, energy, and other regulated sectors. These challenges are especially critical for capital-intensive projects, which require clear legal guarantees, effective investment protection mechanisms, and transparency in public execution.

Strengthening the country's legal and institutional framework is therefore imperative to merge confidence, promote formal investment, and foster sustainable development. Legal certainty is a legal principle; it is a foundational condition for attracting foreign direct investment, generating quality employment, and reducing corruption risks. A predictable and enforceable legal environment also enhances business security, safeguards ethical market conditions, and supports long-term competitiveness. In this context, AmCham Guatemala reaffirms its commitment to advancing legality, transparency, accountability, and regulatory stability as core pillars of the business climate.

Institutional Strengthening and Rule of Law

Respect for the Rule of Law, judicial independence, and transparent decision-making is fundamental to sustainable development. The year 2026 stands for a defining moment for institutional renewal in Guatemala, with direct implications for governance, legal certainty, and the investment climate.

AmCham Guatemala's Advisory Council has conducted a strategic mapping of upcoming institutional renewal processes to strengthen engagement and promote the choice of

technically qualified, independent, and credible authorities committed to the public interest. Key milestones include:

- The **renewal of the Supreme Electoral Tribunal (TSE) in early 2026**, with new magistrates assuming office in March, an essential step to safeguard electoral integrity ahead of the 2027 general elections.
- **The Constitutional Court (CC)** will also undergo **renewal in April**, making its composition central to preserving constitutional balance, judicial independence, and the rule of law.
- The term of the **Attorney General concludes in May 2026**, with the nomination process beginning in January. This transition will be critical to ensuring institutional continuity and effectiveness in combating corruption and organized crime.
- Later in the year, the process to appoint a new **Comptroller General of Accounts** will begin, a role fundamental to fiscal oversight and public spending transparency.
- The **Bank of Guatemala and Superendecy of Banks** will also undergo institutional renewal, with new authorities playing a key role in preserving macroeconomic stability, monetary policy credibility, and investor confidence.

Legal certainty must go hand in hand with integrity and transparency. AmCham reiterates the need to strengthen internal control systems, oversight bodies, and anti-corruption frameworks across public institutions. Greater accountability levels the playing field and sends a clear signal to international investors about Guatemala's commitment to ethical governance and predictable enforcement.

Competition Law

The implementation of the Competition Law marks a historic step towards modernizing Guatemala's market framework. Developed with the participation of AmCham and private-sector stakeholders, the law is a meaningful advance in promoting open, fair, and efficient markets.

In 2026, AmCham's role is centered on providing technical input, supporting institutional capacity-building, and promoting an educational, proportional, and context-sensitive application of the law. Effective implementation will be critical to safeguarding freedom of enterprise, enhancing competitiveness, and ensuring that enforcement reflects Guatemala's economic reality. This includes avoiding regulatory duplication, respecting sector-specific regulation, and providing reasonable transition periods for economic agents to adapt.

The entry into force of the Competition Law sends a positive signal to the international community and key trade partners such as the United States of America and the European Union. It reflects Guatemala's commitment to strengthening its business environment and combining a modern, dynamic, and fair economy.

Tax Legal Certainty

Recent advances, including the approval of Decree 17-2025, the Law for the Facilitation of Tax Refund Compliance, represent positive steps towards improving predictability and competitiveness. The law introduces reforms to the Tax Code and VAT framework aimed at simplifying, standardizing, and expediting tax refunds, particularly for exporters and formal businesses. Addressing longstanding operational bottlenecks, it reinforces legal certainty and improves Guatemala's attractiveness for trade and investment.

Nonetheless, consistent administrative criteria, due process, and ongoing technical dialogue between the Tax Administration (SAT) and the private sector remain essential to reduce litigation and foster voluntary compliance.

Water and Agricultural Innovation Frameworks

AmCham supports a technically, decentralized, and legally secure water governance framework. As water becomes increasingly strategic for competitiveness, food security, and public health, AmCham advocates for a gradual and inclusive regulatory approach. Key principles include recognizing water as an economic good, protecting user rights,

incentivizing innovation in water treatment and conservation technologies, and ensuring legal certainty to promote long-term investment in water infrastructure.

Plant Variety Protection: Legal Certainty for Innovation, Investment, and Trade

A modern Plant Variety Protection (PVP) framework aligned with UPOV 1991 is a strategic enabler for Guatemala's agricultural competitiveness and regional integration. It provides legal certainty for innovation and long-term investment, eases technology transfer, and strengthens climate-resilient and high-value agri-food supply chains, while preserving native and ancestral plant varieties as national heritage.

From a trade perspective, effective PVP implementation supports Guatemala's commitments under DR-CAFTA, reduces non-tariff barriers, and enhances regulatory predictability, key priorities in bilateral engagement with the United States and dialogue with the USTR. For CEOs, a robust PVP regime signals a more predictable investment environment, improved market access, and a stronger platform for sustainable growth.

III. Economic Development

Economic development stays a central pillar for strengthening competitiveness and generating sustainable opportunities. Trade facilitation, foreign direct investment attraction, and AmCham's institutional initiatives must run in a coordinated and mutually reinforcing manner to drive growth, employment, and regional development.

Trade Facilitation

AmCham continues active engagement on trade-related matters, including USTR observations, tariff discussions, and regulatory modernization. The Chamber has taken part in technical working groups, gave proposals, and engaged in high-level public-private dialogue in Washington, D.C., to promote Guatemala's interests within the DR-CAFTA framework and reinforce its role as a credible trade partner.

A milestone in this agenda was the historic tariff reduction agreement reached with the United States in 2025. As a result, more than 70% of Guatemalan exports now receive

help from zero-tariff access, significantly improving competitiveness across sectors such as agriculture, agro-industry, textiles, apparel, and light manufacturing. This agreement strengthens supply-chain integration and combines Guatemala's strategic position in the U.S. market.

The reactivation of the National Trade Facilitation Committee has further strengthened multisectoral coordination. For 2026, priorities include consolidating execution capacity, defining measurable indicators, and ensuring institutional continuity.

Interinstitutional Council (COINCON)

Through strategic coordination with the Superintendency of Tax Administration -SAT-, and the Intellectual Property Registry -RPI- of MINECO, AmCham has supported the training of more than 400 public officials in the prevention of smuggling, piracy, and counterfeiting. A joint press conference in June highlighted progress under the "Brand Protection and Anti-Counterfeiting" program, aligned with DR-CAFTA commitments and the USTR Special 301 framework, strengthening institutional capacity and the investment climate.

Sectoral Roundtable on Pilot Shortages

AmCham facilitated a multisectoral dialogue among private companies, public institutions, training centers, and transport-related organizations to address the shortage of professional drivers. The initiative elevated the issue within the national competitiveness agenda and found key bottlenecks and short-, medium-, and long-term solutions.

Technical Roundtable on Front-of-Pack Food Labeling

AmCham promoted evidence-based regulatory proposals and constructive dialogue with legislators and executive authorities to support balanced labeling regulations. Efforts focused on aiming regional Central American regulation while avoiding unintended economic and trade impacts, supported by joint communication initiatives with business chambers.

Water Law Follow-Up Roundtable

AmCham Guatemala convened a technical and institutional dialogue to support the development of a modern, legally secure, and implementable water law, aligned with the country's *Proceso Nacional del Agua*. The roundtable brought together public- and private-sector actors and technical experts to assess Guatemala's current water governance challenges, including regulatory fragmentation, legal uncertainty, limited data availability, and unequal access. Participants found key risks and gaps that hinder sustainable management, investment, and effective enforcement, particularly in the context of growing water stress and climate vulnerabilities.

Building on evidence-based analysis and AmCham's guiding principles, the dialogue generated practical recommendations to balance water security, economic competitiveness, and the human right to water. These included the need for data-driven and gradual regulatory approach; clear, non-retroactive rules that provide legal certainty for investment; participatory governance at the basin level; recognition of existing efficient practices; and the promotion of innovation, infrastructure investment, and administrative enforcement mechanisms. The outcomes contribute to a constructive, multi-stakeholder pathway towards a Water Law that is technically sound, socially inclusive, and adaptable to Guatemala's diverse territorial realities.

Macroeconomic and Investment Context

Guatemala enters 2026 with solid macroeconomic fundamentals. Remittances reached a historic record of approximately US\$25.5 billion in 2025, accounting for nearly 20% of GDP and sustaining domestic demand. Fiscal projections point to a manageable deficit of 2.7% - 3.0% of GDP, with public debt staying moderate at 33% - 35%.

Exports grew by an estimated 6% - 7% in 2025, while imports reflected strong internal demand and industrial activity. Foreign direct investment reached approximately US\$1.875 billion, a 10% increase year-over-year, with strong inflows into financial

services, manufacturing, commerce, and communications. Inflation remained low and stable, supporting real income preservation and macroeconomic stability.

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