

IMPORTANT NOTICE

IMPORTANT NOTICE: You must read the following disclaimer before continuing. The following disclaimer applies to the attached offering memorandum (the “Offering Memorandum”). You are therefore advised to read this disclaimer carefully before reading, accessing or making any other permitted use of the Offering Memorandum. In accessing the Offering Memorandum, you agree to be bound by the following terms and conditions, including any modifications to them any time you receive any information from us as a result of such access. The attached Offering Memorandum is being furnished to you on a confidential basis and is intended for the addressee only.

THIS OFFERING IS AVAILABLE ONLY TO INVESTORS WHO ARE EITHER (1) “QUALIFIED INSTITUTIONAL BUYERS” (“QIBs”) (AS DEFINED IN RULE 144A, PROMULGATED UNDER THE UNITED STATES SECURITIES ACT OF 1933, AS AMENDED (THE “SECURITIES ACT”)) IN THE UNITED STATES OR (2) IN RELIANCE ON REGULATION S OF THE SECURITIES ACT, TO NON-U.S. PERSONS (WITHIN THE MEANING OF REGULATION S UNDER THE SECURITIES ACT) AND THAT ARE NOT ACQUIRING THE SECURITIES FOR THE ACCOUNT OR BENEFIT OF A U.S. PERSON.

NOTHING IN THIS ELECTRONIC TRANSMISSION CONSTITUTES AN OFFER OF SECURITIES FOR SALE IN ANY JURISDICTION WHERE IT IS UNLAWFUL TO DO SO. THE SECURITIES HAVE NOT BEEN, AND WILL NOT BE, REGISTERED UNDER THE SECURITIES ACT, OR THE SECURITIES LAWS OF ANY STATE OF THE UNITED STATES OR OTHER JURISDICTION AND THE SECURITIES MAY NOT BE OFFERED OR SOLD WITHIN THE UNITED STATES OR TO, OR FOR THE ACCOUNT OR BENEFIT OF, U.S. PERSONS (AS DEFINED IN REGULATION S UNDER THE SECURITIES ACT), EXCEPT PURSUANT TO AN EXEMPTION FROM, OR IN A TRANSACTION NOT SUBJECT TO, THE REGISTRATION REQUIREMENTS OF THE SECURITIES ACT AND APPLICABLE LAWS OF OTHER JURISDICTIONS.

THE FOLLOWING OFFERING MEMORANDUM MAY NOT BE FORWARDED OR DISTRIBUTED TO ANY OTHER PERSON AND MAY NOT BE REPRODUCED IN ANY MANNER WHATSOEVER. ANY FORWARDING, DISTRIBUTION OR REPRODUCTION OF THE OFFERING MEMORANDUM IN WHOLE OR IN PART IS UNAUTHORIZED. FAILURE TO COMPLY WITH THIS DIRECTIVE MAY RESULT IN A VIOLATION OF THE SECURITIES ACT OR THE APPLICABLE LAWS OF OTHER JURISDICTIONS.

Confirmation of your Representation: In order to be eligible to view the Offering Memorandum or make an investment decision with respect to the securities, investors must be either (1) QIBs or (2) non-U.S. persons (within the meaning of Regulation S under the Securities Act). The Offering Memorandum is being sent at your request and by accepting the e-mail and accessing the Offering Memorandum, you shall be deemed to have represented to us that (1) you and any customers you represent are either (a) QIBs or (b) non-U.S. persons (within the meaning of Regulation S under the Securities Act), and (2) that you consent to delivery of such Offering Memorandum by electronic transmission.

You are reminded that the Offering Memorandum has been delivered to you on the basis that you are a person into whose possession the Offering Memorandum may be lawfully delivered in accordance with the laws of the jurisdiction in which you are located and you may not, nor are you authorized to, deliver the Offering Memorandum to any other person.

The materials relating to the offering do not constitute, and may not be used in connection with, an offer or solicitation in any place where offers or solicitations are not permitted by law. If a jurisdiction requires that the offering be made by a licensed broker or dealer and the sole book-running manager referred to in the Offering Memorandum (the “Sole Book-Running Manager”) or any affiliate of the Sole Book-Running Manager is a licensed broker or dealer in that jurisdiction, the offering shall be deemed to be made by the Sole Book-Running Manager or such affiliate on behalf of the issuer of the securities described in the Offering Memorandum in such jurisdiction.

The Offering Memorandum has been sent to you in an electronic form. You are reminded that documents transmitted via this medium may be altered or changed during the process of electronic transmission, and consequently neither the Sole Book-Running Manager, nor any person who controls it nor any of their respective directors, officers, employees nor any of their agents nor any affiliate of any such person accepts any liability or responsibility whatsoever in respect of any difference between the Offering Memorandum

distributed to you in electronic format and the hard copy version available to you on request from the Sole Book-Running Manager.

The Republic of Guatemala



US\$500,000,000 3.700% Notes due 2033

US\$500,000,000 4.650% Notes due 2041

The Republic of Guatemala is offering US\$500,000,000 aggregate principal amount of 3.700% Notes due 2033 (the “2033 Notes”) and US\$500,000,000 aggregate principal amount of 4.650% Notes due 2041 (the “2041 Notes” and, together with the 2033 Notes, the “Notes”). Interest on the 2033 Notes will be payable semi-annually in arrears on April 7 and October 7 of each year, beginning on April 7, 2022 and ending on October 7, 2033 (the “2033 Notes Maturity Date”). Principal on the 2033 Notes will be paid on the 2033 Notes Maturity Date. Interest on the 2041 Notes will be payable semi-annually in arrears on April 7 and October 7 of each year, beginning on April 7, 2022 and ending on October 7, 2041 (the “2041 Notes Maturity Date”). Principal on the 2041 Notes will be paid on the 2041 Notes Maturity Date.

The Notes of each series will contain provisions, commonly known as “collective action clauses.” Under these provisions we may amend the payment provisions of any series of debt securities (including each series of the Notes) and other reserved matters listed in the fiscal agency agreements pursuant to which the Notes will be issued with the consent of the holders of: (1) with respect to the debt securities of a series (including the Notes of each series), more than 75% of the aggregate principal amount of the outstanding debt securities of such series; (2) with respect to two or more series of debt securities (including the Notes of each series) issued on or after April 28, 2016, if certain “uniformly applicable” requirements are met, more than 75% of the aggregate principal amount of the outstanding debt securities of all series (including Notes of each series) affected by the proposed modification, taken in the aggregate; or (3) with respect to two or more series of debt securities (including the Notes of each series) issued on or after April 28, 2016, more than 66⅔% of the aggregate principal amount of the outstanding debt securities of all series (including the Notes of each series) affected by the proposed modification, taken in the aggregate, and more than 50% of the aggregate principal amount of the outstanding debt securities of each series (including the Notes of each series) affected by the proposed modification, taken individually. See “Description of the Notes—Collective Action; Meetings, Modifications, Amendments and Waivers.”

The Republic may, at its option, redeem the 2033 Notes, in whole at any time or in part from time to time, prior to July 7, 2033 (the date that is three months prior to the 2033 Notes Maturity Date (the “2033 Notes Par Call Date”)) by paying the greater of the principal amount of the 2033 Notes to be redeemed and a “make whole” amount, plus accrued and unpaid interest to the redemption date. On or after the 2033 Notes Par Call Date, the Republic may, at its option, redeem the 2033 Notes, in whole at any time or in part from time to time, at a redemption price equal to 100% of the principal amount of the 2033 Notes to be redeemed, plus accrued and unpaid interest to the redemption date. The Republic may, at its option, redeem the 2041 Notes, in whole at any time or in part from time to time, prior to April 7, 2041 (the date that is six months prior to the 2041 Notes Maturity Date (the “2041 Notes Par Call Date”)) by paying the greater of the principal amount of the 2041 Notes to be redeemed and a “make whole” amount, plus accrued and unpaid interest to the redemption date. On or after the 2041 Notes Par Call Date, the Republic may, at its option, redeem the 2041 Notes, in whole at any time or in part from time to time, at a redemption price equal to 100% of the principal amount of the 2041 Notes to be redeemed, plus accrued and unpaid interest to the redemption date. See “Description of Notes—Optional Redemption.”

Except as described herein, payments on the Notes will be made without deduction for or on account of withholding taxes imposed by the Republic. Application will be made to list the Notes on the Luxembourg Stock Exchange and to have the Notes admitted to trading on the Euro MTF Market.

The Notes will be general, direct, unconditional, unsubordinated and unsecured indebtedness of the Republic and will rank at least equally among themselves and with all other existing and future unsubordinated and unsecured public external indebtedness of the Republic. The Notes will be backed by the full faith and credit of the Republic.

See “Risk Factors” for a discussion of certain risk factors you should consider before investing in the Notes.

Issue Price for 2033 Notes: 97.629% plus accrued interest, if any, from October 7, 2021.

Issue Price for 2041 Notes: 97.458% plus accrued interest, if any, from October 7, 2021.

The Notes have not been and will not be registered under the U.S. Securities Act of 1933, as amended (the “Securities Act”), or the securities laws of any other jurisdiction. The Notes may not be offered or sold within the United States or to U.S. persons, except to (1) qualified institutional buyers in reliance of the exemption from registration provided by Rule 144A of the Securities Act and (2) certain persons in offshore transactions in reliance on Regulation S of the Securities Act. You are hereby notified that sellers of the

Notes may be relying on the exemption from the provisions of Section 5 of the Securities Act provided by Rule 144A under the Securities Act. For a description of certain restrictions on transfer of the Notes, see “Transfer Restrictions.”

Delivery of the Notes is expected to be made to investors in book-entry form through the facilities of The Depository Trust Company, for the accounts of its direct and indirect participants, including Euroclear Bank S.A./N.V. and Clearstream Banking, S.A., on or about October 7, 2021.

Global Coordinator and Sole Book-Running Manager

BofA Securities

The date of this offering memorandum is September 30, 2021.

Guatemala



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This offering memorandum does not constitute an offer to sell, or a solicitation of an offer to buy, any Notes by any person in any jurisdiction in which it is unlawful for such person to make an offer or solicitation. Neither the delivery of this offering memorandum nor any sale made hereunder will under any circumstances imply that there has been no change in the affairs of the Republic or that the information contained in this offering memorandum is correct as of any date subsequent to the date hereof.

This offering memorandum has been prepared by the Republic solely for use in connection with the proposed offering of the Notes. This offering memorandum does not constitute an offer to the public generally to subscribe for or otherwise acquire Notes. Each prospective purchaser, by accepting delivery of this offering memorandum, agrees to the foregoing and to make no photocopies of this offering memorandum or any documents referred to herein.

IN MAKING AN INVESTMENT DECISION, EACH PROSPECTIVE PURCHASER MUST RELY ON ITS OWN EXAMINATION OF THE REPUBLIC AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED. THE NOTES HAVE NOT BEEN RECOMMENDED BY ANY U.S. OR NON-U.S. FEDERAL OR STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. FURTHERMORE, THESE AUTHORITIES HAVE NOT CONFIRMED THE ACCURACY OR DETERMINED THE ADEQUACY OF THIS DOCUMENT. ANY REPRESENTATION TO THE CONTRARY IS A CRIMINAL OFFENSE.

The Notes will constitute general, direct, unconditional, unsubordinated and unsecured Indebtedness (as defined under “Description of the Notes—Certain Definitions”) of the Republic and will rank at least equally among themselves and with all other existing and future unsubordinated and unsecured Public External Indebtedness (as defined under “Description of the Notes—Certain Definitions”) of the Republic; it being understood that this provision shall not be construed to require the Republic to make payments under the Notes ratably with payments being made under any other Public External Indebtedness. The Republic has pledged its full faith and credit for the due and punctual payment of all amounts due in respect of the Notes.

The Notes will be issued in registered form only. Notes of each series sold in offshore transactions in reliance on Regulation S under the Securities Act (“Regulation S”) will be represented by one or more permanent global notes in fully registered form without interest coupons (collectively, the “Regulation S Global Note”) deposited with a custodian for, and registered in the name of a nominee of, The Depository Trust Company (“DTC”) for the respective accounts at DTC as such subscribers may direct. Notes of each series sold in the United States to qualified institutional buyers (each, a “qualified institutional buyer”) as defined in, and in reliance on, Rule 144A under the Securities Act (“Rule 144A”) will be represented by one or more permanent global notes in fully registered form without interest coupons (collectively, the “Rule 144A Global Note” and, together with the

Regulation S Global Note, the “Global Notes”) deposited with a custodian for, and registered in the name of a nominee of, DTC for the respective accounts at DTC as such subscribers may direct. Beneficial interests of DTC participants (as defined under “Book-Entry Settlement and Clearance”) in the Global Notes will be shown on, and transfers thereof between DTC participants will be effected only through, records maintained by DTC and its direct and indirect participants, including Euroclear Bank S.A./N.V., as operator of the Euroclear System (“Euroclear”) and Clearstream Banking, S.A. (“Clearstream”), if applicable. Except as described herein, definitive certificated Notes will not be issued in exchange for beneficial interests in the Global Notes. See “Book-Entry Settlement and Clearance” and “Description of the Notes—Form, Denomination and Title.” For restrictions on transfer applicable to the Notes, see “Transfer Restrictions.”

The Notes have not been, and will not be, registered under the Securities Act. Accordingly, the Notes may not be offered, sold or delivered within the United States or to or for the account or benefit of U.S. persons, except in transactions exempt from, or not subject to, the registration requirements of the Securities Act. Each prospective purchaser should be aware that it may be required to bear the financial risks of this investment for an indefinite period of time. See “Transfer Restrictions.”

Each prospective purchaser of Notes must comply with all applicable laws and regulations in force in any jurisdiction in connection with the possession or distribution of this offering memorandum and the purchase, offer or sale of the Notes, and it must obtain any required consent, approval or permission for the purchase, offer or sale by it of the Notes under the laws and regulations applicable to it in force in the jurisdiction to which it is subject or in which it makes those purchases, offers or sales. Neither the Republic nor the initial purchaser has any responsibility therefor. See “Transfer Restrictions.”

IN CONNECTION WITH THIS ISSUE OF NOTES, THE INITIAL PURCHASER MAY, DIRECTLY OR THROUGH ITS AFFILIATES, OVERALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICES OF THE NOTES AT A LEVEL WHICH MIGHT NOT OTHERWISE PREVAIL IN THE OPEN MARKET, TO THE EXTENT PERMITTED BY APPLICABLE LAWS. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

The Republic, having made all reasonable inquiries, confirms that this offering memorandum contains all information that is material in the context of the issue of the Notes, that the information contained in this offering memorandum is true and accurate in all material respects, and that there are no other facts the omission of which makes this offering memorandum as a whole or any such information misleading in any material respect. The Republic accepts responsibility accordingly.

The initial purchaser is not making any express or implied representation or warranty as to the accuracy or completeness of the information contained in this offering memorandum. The initial purchaser has not independently verified any information contained in this offering memorandum and assumes no responsibility for the accuracy or completeness of this information. Nothing contained in this offering memorandum is, or should be relied upon, as a promise or representation, whether as to the past or to the future.

The Luxembourg Stock Exchange takes no responsibility for the contents of this offering memorandum, makes no representation as to its accuracy or completeness and expressly disclaims any liability whatsoever for any loss howsoever arising from or in reliance upon the whole or any part of the contents of this offering memorandum.

Neither the Republic nor the initial purchaser, nor any of their respective representatives, is making any representation regarding the legality of an investment by it under appropriate legal investment or similar laws. Each prospective purchaser should consult with its own advisors as to legal, tax, business, financial and related aspects of a purchase of the Notes.

The Republic has not authorized any person to provide any prospective purchaser of Notes with information different from that contained in this offering memorandum. The Republic is offering to sell the Notes only where offers and sales are permitted. The information contained in this offering memorandum is accurate only as of the date of this offering memorandum, regardless of the time of delivery of this offering memorandum or of any sale of the Notes.

TERMS AND CONVENTIONS

Terms

All references in this offering memorandum to “we,” “us,” “our,” “Guatemala” or to the “Republic” are to the Republic of Guatemala, and all references to the “Government” are to the national government of Guatemala and its authorized representatives.

For purposes of this offering memorandum:

- Gross domestic product (“GDP”) is the total market value of all final goods and services produced in a country in a given year. Nominal GDP is the value of a country’s overall output of goods and services at current market prices. Real GDP is the total market value of final goods and services at constant prices of a particular year, which allows for comparisons of historical GDP that exclude the effects of inflation. In this offering memorandum, real GDP figures are based on chained volume measures with use of reference year 2013, the year used by the Bank of Guatemala (*Banco de Guatemala*) for purposes of maintaining real GDP statistics. GDP growth rates and growth rates pertaining to the various sectors of Guatemala’s economy are based on real figures, unless otherwise indicated.
- *Banco de Guatemala* is the central bank of the Republic and is referred in this offering memorandum as the “Bank of Guatemala.”
- For balance of payments purposes, the Bank of Guatemala is responsible for compiling and disseminating Guatemala’s balance of payments statistics. Balance of payments statistics are prepared in accordance with the methodology described in the sixth edition of the International Monetary Fund (the “IMF”) Balance of Payments Manual. The Bank of Guatemala obtains information preparing the balance of payments statistics from a number of different sources: the Superintendency of Tax Administration (*Superintendencia de Administración Tributaria*, or the “SAT”), the Ministry of Public Finance (*Ministerio de Finanzas Públicas*), the Guatemalan Tourism Institute (*Instituto Guatemalteco de Turismo*, or the “INGUAT”), the Superintendency of Banks (*Superintendencia de Bancos*), the National Institute of Statistics (*Instituto Nacional de Estadística*, or the “INE”), several agencies that are supervised by or report to the Ministry of Economy (*Ministerio de Economía*), other departments within the Bank of Guatemala, international organizations, and surveys compiled from private institutions.
- An inflation rate provides an aggregate measure of the rate of change in the prices of goods and services in an economy. The Republic measures the inflation rate by the percentage change in the consumer price index between two periods. The consumer price index is based on a basket of goods and services identified by the INE which reflects the pattern of consumption of Guatemalan households. The price for each good or service that makes up the basket of goods and services is weighted according to its relative importance in an average household’s consumption pattern in order to calculate the consumer price index. The annual percentage change in the consumer price index is calculated by comparing the index as of a date against the index for the corresponding date in the prior years. Since April 2011, the consumer price index is calculated using information from a new basket of goods (December 2010=100). This new basket compiles information from eight geographical regions in 24 major urban centers with a total of 441 products (goods and services). The INE does not compile statistics to calculate a producer price index or a wholesale price index, which are other indices often used by certain countries to measure inflation.
- One *quintal* is a unit of weight equal to 100 pounds.
- The Dominican Republic-Central America FTA, the first free trade agreement between the United States and a group of smaller developing economies: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, as well as the Dominican Republic is referred to in this offering memorandum as the “DR-CAFTA.”

Currency and Exchange Rates

Unless otherwise specified, “U.S. dollar,” “U.S. dollars” and “US\$” refer to United States dollars, and “*quetzal*,” “*quetzales*” and “Q” refer to Guatemalan *quetzales*. Unless otherwise indicated, we have converted *quetzales* into U.S. dollars, and U.S. dollars and other foreign currencies into *quetzales*, at a rate of Q7.79382 per US\$1.00, which was the reference *quetzal*/U.S. dollar exchange rate for purchasing U.S. dollars published by the Bank of Guatemala on December 31, 2020. In certain cases, *quetzales* have been converted into U.S. dollars using average or period-end exchange rates for the applicable year. Year-over-year changes in such U.S. dollar amounts reflect both the change in the original *quetzales* amounts and variation in exchange rates. Consequently, U.S. dollar rates of change should not be relied upon as representing the rates of change in the underlying information. Currency conversions, including conversions of *quetzales* to U.S. dollars, are solely for the convenience of the reader. These conversions are not a representation that the stated amounts have been, could have been or will be converted into any other currency at any particular rate.

On September 23, 2021, the official *quetzal*/U.S. dollar exchange rate was Q7.73345 per US\$1.00. See “Balance of Payments and Foreign Trade—Exchange Rate Policy and Foreign Exchange Rates.”

Presentation Financial and Economic Information

The Republic has presented all annual information in this offering memorandum based on a calendar year, unless otherwise indicated.

Certain financial and economic information presented in this offering memorandum may be subject to routine review and possible adjustment. Specifically, certain information and data for 2017, 2018, 2019 and 2020 are preliminary, and are subject to review and adjustment as additional or amended information may become available. We have identified such information and data as “preliminary” or “estimated” in this offering memorandum. The Government believes that this review process is substantially similar to the practices of advanced economies. The Government does not currently expect that any such adjustments will be material; although no assurances can be given that material changes will not be made or that the information provided is complete.

Certain percentages and amounts in this offering memorandum may differ from the results of arithmetic calculations thereof that may be obtained using individual amounts set out elsewhere in this offering memorandum due to rounding.

FORWARD-LOOKING STATEMENTS

This offering memorandum contains certain forward-looking statements (as such term is defined in the Securities Act) concerning the Republic. These statements are based upon beliefs of certain Government officials and others as well a number of assumptions and estimates which are inherently subject to significant uncertainties, many of which are beyond the control of the Republic. Future events may differ materially from those expressed or implied by such forward-looking statements. Such forward-looking statements are mainly contained in the sections: “Summary,” “Republic of Guatemala,” “The Guatemalan Economy,” “Balance of Payments and Foreign Trade,” “Monetary and Financial System,” “Public Sector Finances” and “Public Sector Debt.” In addition, in those and other sections of this offering memorandum, the words “anticipates,” “believes,” “contemplates,” “estimates,” “expects,” “plans,” “intends,” “projections” and similar expressions, as they relate to the Republic, are intended to identify forward-looking statements. Such statements reflect the current views of the Republic with respect to future events and are subject to certain risks, uncertainties and assumptions, including those risks, uncertainties and assumptions related to the novel coronavirus (“COVID-19”) pandemic. The Republic undertakes no obligation publicly to update or revise any forward-looking statements, whether as a result of new information, future events or otherwise. In light of these risks and uncertainties, there can be no assurances that the events described or implied in the forward-looking statements contained in this offering memorandum will in fact occur.

ENFORCEMENT OF CIVIL LIABILITIES

The Republic is a sovereign state. Consequently, it may be difficult for investors to obtain or realize in the United States or elsewhere judgments against the Republic. To the fullest extent permitted by applicable law, the Republic will irrevocably submit to the non-exclusive jurisdiction of any New York state or U.S. federal court sitting in The City of New York, and any appellate court thereof, in any suit, action or proceeding arising out of or relating to the Notes, and the Republic will irrevocably agree that all claims in respect of any such suit, action or proceeding may be heard and determined in any such New York state or U.S. federal court. The Republic will irrevocably waive, to the fullest extent that it may effectively do so, the defense of an inconvenient forum to the maintenance of any suit, action or proceeding and any objection to any proceeding whether on the grounds of venue, residence or domicile. To the extent that the Republic has or hereafter may acquire any sovereign or other immunity from the jurisdiction of such courts with respect to any suit, action or proceeding arising out of or relating to the Notes offered hereby or the Republic’s failure or alleged failure to perform any obligations under the Notes (whether through service of notice, attachment prior to judgment, attachment in aid of execution, execution or otherwise), the Republic will, to the fullest extent permitted under the U.S. Foreign Sovereign Immunities Act of 1976 (the “Sovereign Immunities Act”) and other applicable law, irrevocably waive such immunity in respect of any such suit, action or proceeding; *provided, however*, that under the Sovereign Immunities Act, it may not be possible to enforce in the Republic a judgment based on such a U.S. judgment. In addition, under the laws of Guatemala, the property and revenues of the Republic inside Guatemala are exempt from attachment or other form of execution before or after judgment. See “Description of the Notes—Governing Law” and “Description of the Notes—Submission to Jurisdiction.”

Notwithstanding the preceding paragraph, the Republic has not consented to service or waived sovereign immunity with respect to actions brought against it under the U.S. federal securities laws or any state securities laws. In the absence of a waiver of immunity by the Republic with respect to such actions, it would not be possible to obtain a judgment in such an action brought in a U.S. court against the Republic unless such court were to determine that the Republic is not entitled under the Sovereign Immunities Act to sovereign immunity with respect to such action. In addition, even if a U.S. judgment could be obtained in any such action under the U.S. Foreign Sovereign Immunities Act, it may not be possible to enforce in the Republic a judgment based on such a U.S. judgment. Execution upon property of Guatemala located in the United States to enforce a U.S. judgment may not be possible except under the limited circumstances specified in the Sovereign Immunities Act.

SUMMARY

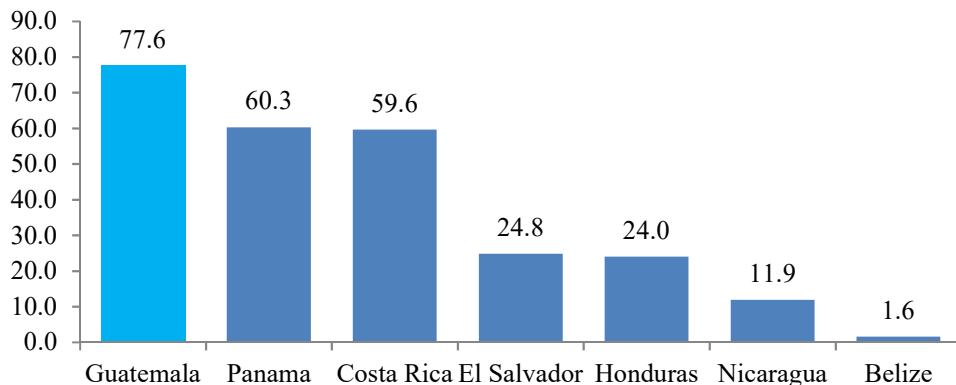
The following summary does not purport to be complete and it is wholly qualified by, and it is subject to, the detailed information appearing elsewhere in this offering memorandum. Investors should read the entire offering memorandum carefully before making an investment decision.

REPUBLIC OF GUATEMALA

General

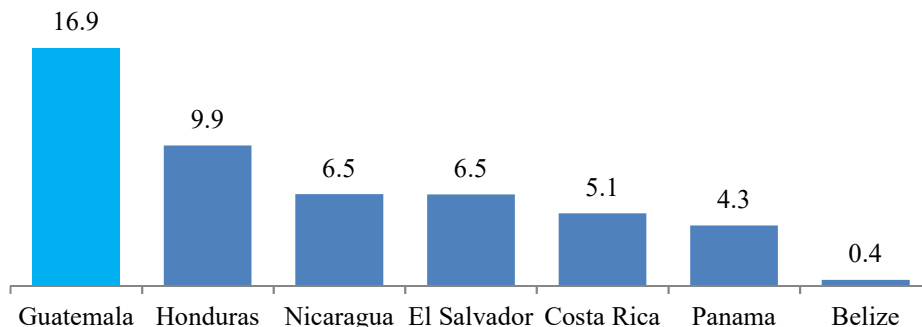
Guatemala is a Central American country bordered by Mexico to the northwest, Belize to the northeast, Honduras to the east and El Salvador to the southeast and covers a territory of 42,042 square miles (108,889 square kilometers). Guatemala's population, based on the most recent census held in 2018, was estimated to be 16.9 million in 2020 and 17.1 million in 2021. Guatemala is Central America's largest country in terms of population and its largest economy. It is estimated that approximately 50.8% of the population in 2020 was female, and approximately 62.5% was younger than 30, based on the 2018 census. Estimated population growth rate decreased slightly from 1.7% in 2016 to 1.5% in 2020.

Total preliminary nominal GDP was US\$77,598.9 million for the year ended December 31, 2020. The chart below presents a comparison of nominal GDP throughout Central America by country, for the year ended December 31, 2020 in billions of U.S. dollars.



Sources: Guatemala: Bank of Guatemala. Other countries: IMF, World Economic Outlook Database, April 2021.

Guatemala has the largest population of any country in Central America, nearly twice as many inhabitants as Honduras, the next most populous neighbor. The chart below presents a comparison of population throughout Central America by country, estimated as of December 31, 2020 (in millions).



Sources: Guatemala: INE. Other countries: Estimates of the IMF staff, World Economic Outlook Database, April 2021.

The Guatemalan Government is divided into three branches: Executive, Legislative and Judicial. A separate Electoral Supreme Court (*Tribunal Supremo Electoral*) has independent authority to call and administer elections,

and an independent Constitutional Court (*Corte de Constitucionalidad*) has authority to hear cases related to constitutional matters. There is also a separate Human Rights Ombudsman. Guatemala's current Constitution was adopted by a constituent assembly in 1985. The Constitution was amended through a referendum in January 1994 that, among other things, reduced the legislative terms of office from five to four years and set the presidential term limit at one four-year term without possibility of re-election. The form of government is a representative democracy.

The Guatemalan Economy

Guatemala's economy is the largest in Central America, with a preliminary nominal GDP of US\$77,598.9 million for the year ended December 31, 2020.

Prior to the social and economic impact of the COVID-19 pandemic, Guatemala's economy was characterized by:

- continued growth;
- stable rates of inflation;
- a stable foreign exchange rate, under a flexible exchange rate regime;
- high levels of international reserves;
- low levels of public debt (both internal and external);
- moderate fiscal deficits; and
- growing and resilient flows of remittances from Guatemalans living abroad, which in 2020 amounted to 14.5% of GDP.

The significant diversification of Guatemala's economy has allowed it to achieve sustained and stable growth in each of the last 10 years. Guatemala's share of total Central American GDP is estimated to have increased from 27.2% in 2016 to 29.9% in 2020. Guatemala's GDP grew at a real rate of 2.7% in 2016, 3.1% in 2017, 3.3% in 2018, 3.9% in 2019, and, according to preliminary data, registered a decrease of 1.5% in 2020, less than the expected 4.0% decrease. No economic sector represented more than 20.0% of Guatemala's GDP in 2020, while the three largest sectors of the economy as a percentage of GDP were wholesale and retail trade and repair of motor vehicles and motorcycles (accounting for 19.1% of GDP), manufacturing (accounting for 14.1% of GDP), and agriculture, livestock, forestry and fishing (accounting for 10.2% of GDP).

During the first quarter of 2021, economic activity, as measured by the real GDP, grew by 4.8%. This result was influenced by the gradual lifting of measures to prevent COVID-19 implemented by the Government during 2020. The economic activities that most contributed to this growth are: construction (12.5%); wholesale and retail trade (6.9%); information and communications (7.1%); repair of motor vehicles and motorcycles (2.7%); manufacturing (6.4%); and agriculture, livestock, forestry and fishing (2.8%).

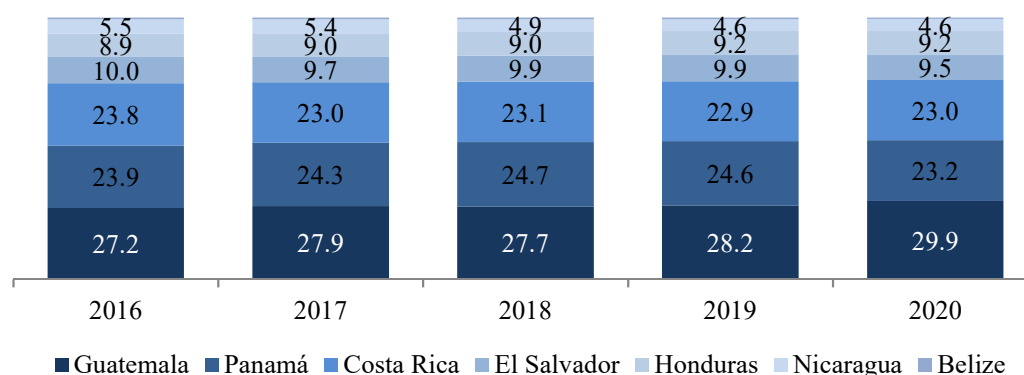
In recent years, high levels of exports and foreign direct investment, coupled with substantial and growing remittances from Guatemalans living abroad, have helped Guatemala maintain solid international reserves. Exports generated more than US\$10.4 billion in value in 2016 and increased to approximately US\$11.5 billion in 2020, while the aggregate amount of foreign direct investment totaled US\$4.3 billion since 2016, consisting of US\$1.2 billion in 2016, US\$1.1 billion in 2017, US\$1.0 billion in 2018, US\$1.0 billion in 2019, and US\$0.9 billion in 2020. During the first quarter of 2021, foreign direct investment amounted to US\$305.6 million, and the main investment sectors were financial and insurance activities (32.4%), automobile trade and repair (27.4%), and electricity, water and sanitation (13.4%).

Remittances from Guatemalans living abroad increased at a compound annual rate of 12.2% since 2016, and were US\$9.3 billion in 2018 and approximately US\$10.5 billion in 2019 and 11.3 billion in 2020. From January to August 2021, remittances registered a cumulative annual growth rate of 38.5%, totaling US\$9.7 billion. This increase is attributed to an improvement in the labor market conditions in the United States of America and a gradual lifting of the measures to prevent the transmission of COVID-19.

These factors have helped Guatemala shore up its international reserves, which were US\$18.5 billion at December 31, 2020, representing 176.7% of Guatemala's total public external debt. According to the World Bank, Guatemala's level of international reserves as a percentage of its total public sector debt, including public domestic

and external debt, is the second highest in Central America at 76.1%, after Honduras at 58.8%, and followed by Costa Rica at 30.0%, El Salvador at 24.6%, Nicaragua at 20.5% and Belize at 20.2%.

The chart below presents the percentage of each country's share of aggregate Central American GDP.



Calculated as GDP of each individual country over the sum of GDP of all Central American countries.

Sources: Guatemala: Bank of Guatemala. Other countries: IMF staff estimates, World Economic Outlook Database, April 2020.

Economic activity in Guatemala has been mainly driven by the private sector and the Government has historically played a limited role in the economy. For instance, total Government consumption expenditures represented 13.5% of GDP over the last five years. Despite its limited role, the Government has historically supported private sector economic activity, both local and external, with clear market-oriented rules and conditions that provide incentives for the private sector to continue developing their businesses in Guatemala for the long term.

Balance of Payments and Foreign Trade

In the period from 2010 to 2020, the Guatemalan economy recorded an average current account deficit of 0.6% of GDP. In 2006, with the entry into effect of the DR-CAFTA, exports and imports between Guatemala and the United States increased significantly. In 2009, there was a slight current account surplus, as a result of the decrease in imports resulting from a much lower (although still positive) GDP growth rate following the global economic and financial crisis. This crisis began in late 2008 and deepened in 2009. The resulting economic downturn adversely affected consumer and producer confidence globally and deteriorated growth expectations for the world economy.

From 2012 to 2014, the global economy continued to recover from the global financial crisis and ensuing recession at a moderate pace and emerging economies, including Guatemala, were the main source of global economic growth. The current account deficit in 2014 was 3.3% of GDP, compared to 1.2% in 2015. During 2015, exports of goods decreased by 3.1% (compared to an increase of 8.2% in 2014 compared to 2013) and imports decreased by 3.9% (compared to an increase of 4.8% in 2014 compared to 2013). In 2016, a surplus in the current account of 1.0% of GDP was recorded as a result of a reduction in imports and exports combined with growing remittances. In 2017, a surplus in the current account of 1.2% of GDP was reported, mainly due to a 14.4% increase in remittances. In 2018, a surplus in the current account of 0.9% of GDP was reported, which was due to a 13.4% growth in remittances, partially offset by a 7.2% increase in imports. In 2019, a surplus in the current account of 2.3% of GDP was reported, which was due to a 13.1% growth in remittances, partially offset by an increase of 1.5% in imports. In 2020, a surplus in the current account of 5.5% of GDP was reported, mainly due to a 7.9% growth in remittances and an 8.1% decrease in imports. See “Balance of Payments and Foreign Trade—Remittances.”

Monetary System

The Constitution of Guatemala provides for a Monetary Board (*Junta Monetaria*), which was first established in 1946. The president of the Monetary Board, who also acts as president for the Bank of Guatemala, is appointed by the president of the Republic. The Monetary Board determines the monetary, foreign exchange and credit policies of the Republic and oversees the liquidity and solvency of the national banking system, seeking to assure the stability and strength of national savings and pursue monetary stability through the Bank of Guatemala. The Bank of Guatemala operates as an autonomous financial institution governed by the Monetary Board. The Constitution

prohibits the Bank of Guatemala from directly or indirectly financing or acting as guarantor or surety to the Government or public or private entities other than regulated financial institutions.

Since 2005, Guatemala's monetary policy has been conducted under an inflation targeting regime, which is based on the choice of an inflation rate target as the nominal anchor for policy, a flexible exchange rate regime, the use of indirect monetary control instruments (monetary stabilization operations), and the strengthening of transparency in the proceedings of the Bank of Guatemala. Guatemala's inflation rate was 3.0% in 2014, 3.1% in 2015, 4.2% in 2016, 5.7% in 2017, 2.3% in 2018 and 3.4% in 2019, and 4.8% in 2020. During 2018, supply shocks that affected vegetable and fruit prices in 2017 dissipated. However, energy prices (gasoline, diesel and propane gas) increased as a result of the increase in international oil prices. Notwithstanding the foregoing, on average, the inflation rate has remained within the target range throughout 2018 and 2020. Since 2013, a medium-term inflation target (continuous target) of 4.0% (+/- 1%) has been in effect.

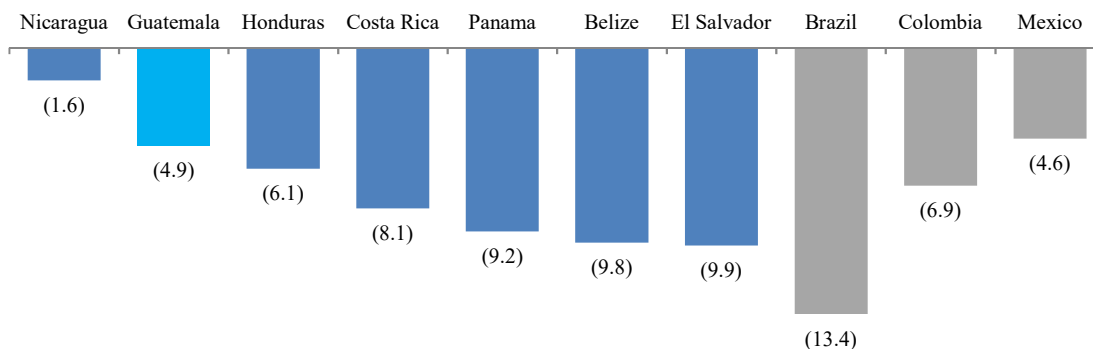
As of December 31, 2020, the monetary stabilization operations of the Bank of Guatemala (fixed-term deposits at the central bank) totaled Q51,270.1 million (approximately US\$6,578.3 million), or 8.6% of GDP. The Bank of Guatemala currently has no outstanding external indebtedness.

Public Sector Finances

The Government has historically maintained a stable level of expenditure as a percentage of GDP. Between 2016 and 2020, the average expenditure as a percentage of GDP was 13.5%. However, in 2020, GDP expenditure was 15.6%, an increase of 2.1 percentage points from 2019, as a result of the Guatemalan government incurring a high level of public spending to cope with the unprecedented health and economic crisis caused by the COVID-19 pandemic. After the first quarter of 2020, the dynamics of public spending were influenced by the spread of COVID-19 in Guatemala. Public health measures, such as stay at home orders and social distancing mandates, were adopted, affecting the income of families and businesses. In order to mitigate and reduce the adverse health and economic effects of the COVID-19 pandemic, the Government designed a series of social and economic programs, including *Bono Familia*, which provided disadvantaged families with economic support, *Fondo de Crédito para Capital de Trabajo*, which offered financial support through facilities under favorable market conditions, *Fondo de Protección de Empleo*, which provided employees with economic support, and other subsidy programs addressed to the electric sector. These economic programs boosted public spending. In order to finance this public spending, in 2020, the Government issued a total amount of Q26,045.01 million of debt securities in the domestic market and a total amount of US\$1,200 million of debt securities in the international capital markets, in addition to a significant level of disbursements of external loans during a fall in tax revenues resulting from the national and international economic contraction. Notwithstanding the foregoing issuances, Guatemala's debt to GDP ratio was 31.6% at December 31, 2020, representing the lowest debt to GDP ratio in Central America.

In the 2016-2019 period, the fiscal deficit averaged 1.7% of GDP. In 2016, the fiscal deficit was 1.1% of GDP; however, in 2020, there was a significant increase in the fiscal deficit as a result of the fiscal policy expansion that generated a significant increase in public spending. Although this increase is expected to be temporary as a result of the COVID-19 pandemic, with the fiscal deficit projected to increase to 2.3% of GDP in 2021, in the medium term, fiscal consolidation will be sought, through gradual reduction of the fiscal deficit. Guatemala has one of the lowest fiscal deficits in the region.

The graph below presents the estimated fiscal deficit as a percentage of GDP for Guatemala compared to all Central American countries and certain other countries in Latin America as of December 31, 2020.



Reflects data or estimated data.

Sources: Guatemala: Ministry of Public Finance and the Bank of Guatemala. El Salvador, Honduras, Nicaragua, Costa Rica and Panama from *Instituto Centroamericano de Estudios Fiscales (ICEFI)*. Other countries: IMF, World Economic Outlook Database, April 2020.

Public sector debt as a percentage of GDP was 25.0% in 2016, while by 2020 it had grown to 31.6% of GDP, an increase of 6.6 percentage points, as a result of the measures adopted by the Government relating to the COVID-19 pandemic, the strong fiscal stimulus through public spending and the economic contraction. However, the country's public indebtedness is still considered sustainable as a result of prudent management of the fiscal policy in recent years. Even with the increase in debt indicators, Guatemala is at a lower level of public sector debt than most other countries in the region.

Social spending has historically represented approximately half of public spending. In 2016, social spending represented 49.4% of public spending and, in 2019, the level was similar at 49.8%. By 2020, the level of social spending had decreased to 43.5%, due to the fact that various expenses associated with COVID-19 were incurred which are not contemplated as part of social spending, such as loans granted to the private sector and individuals, the Employment Protection Fund (*Fondo para la Protección del Empleo*), the Family Bonus Fund (*Fondo Bono Familia*), and economic reactivation projects.

Fiscal policy in recent years has focused on meeting the basic social needs of the population, in an environment of lower tax revenue, which has led to the adoption of policies designed to achieve fiscal consolidation that began to be implemented in 2011. Fiscal consolidation was interrupted during 2020, as the year began without an approved budget. However, with the approval from the Congress of the Republic of the decrees relating to COVID-19, as well as other expenses necessary to make the 2020 commitments viable, the budget expansions amounted to Q20,045.7 million. However, in 2021, the fiscal consolidation process is expected to continue, with a more moderate plan for public expenditures and an improvement in the level of tax revenues.

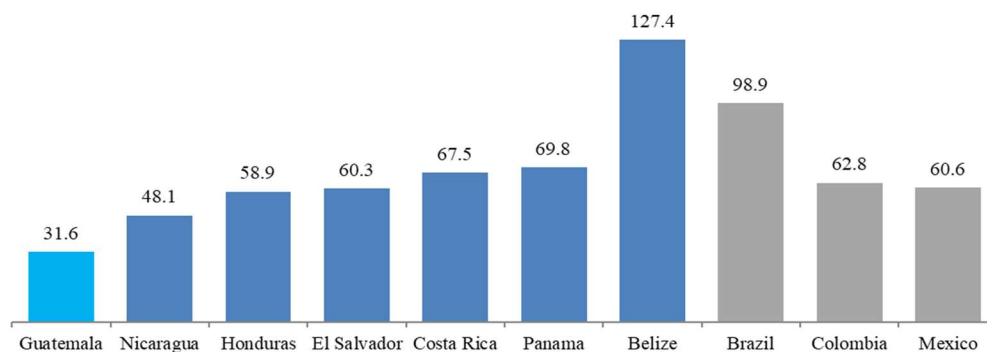
These policies are designed to preserve macroeconomic stability and fiscal sustainability in the medium term, and aim to meet two objectives, first, to keep public debt below the international benchmark for medium-high-income countries such as Guatemala (50%- 60% of GDP) and second, to gradually reduce the fiscal deficit to place it in the medium term to approximately 2.0% of GDP. Public debt was approximately 31.6% of GDP as of December 31, 2020. While fiscal deficit represented 1.1% of GDP in 2016, public spending on social and investment programs increased during recent years, which resulted in an increase in the fiscal deficit to 2.2% of GDP in 2019 and 4.9% of GDP in 2020.

Public Sector Debt

Guatemala has a history of meeting its debt service obligations, in respect of its issued bonds, since its inaugural bond issue in 1997. Since then, Guatemala issued additional series of bonds in 2001, 2003, 2004, 2012, 2013, 2016, 2017, 2019 and 2020.

Guatemala has pursued a debt incurrence and fiscal policy that has resulted in a prevailing low ratio of debt to GDP. As of December 31, 2020, public sector debt was US\$24,274.0 million (approximately 31.6% of GDP for 2020) compared to US\$20,435.0 million as of December 31, 2019 (26.6% of GDP for 2019). Guatemala's indebtedness as a percentage of GDP is the lowest in Central America.

The chart below presents public sector debt as a percentage of GDP for Guatemala and certain countries in Latin America.



Reflects 2020 data or estimated data.

Sources: Guatemala: Ministry of Public Finance and the Bank of Guatemala. El Salvador, Honduras, Nicaragua, Costa Rica and Panama from *Instituto Centroamericano de Estudios Fiscales (ICEFI)*. Other countries: IMF, World Economic Outlook Database, April 2020.

Guatemala's credit ratings from Standard & Poor's, Moody's and Fitch Ratings have remained stable in recent years, with Standard & Poor's rating of BB-; Moody's rating of Ba1; and Fitch's rating of BB-.

The following table presents selected economic information as of and for the periods presented.

Selected Economic Information
(in millions of US\$ or *quetzales*, except as otherwise indicated)

	As of and for the years ended December 31,				
	2016	2017	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Domestic economy:					
Nominal GDP in US\$ ⁽²⁾	US\$ 66,035.0	US\$ 71,625.3	US\$ 73,209.8	US\$ 77,003.5	US\$ 77,598.9
Nominal GDP in <i>quetzales</i>	Q502,001.7	Q526,507.4	Q550,470.0	Q592,800.0	Q599,235.8
Real GDP	Q464,805.5	Q479,120.8	Q495,037.7	Q514,180.1	Q506,368.0
Real GDP growth rate ⁽³⁾	2.7%	3.1%	3.3%	3.9%	(1.5)%
Inflation rate ⁽⁴⁾	4.2%	5.7%	2.3%	3.4%	4.8%
Exchange rate (Q per US\$1.00) ⁽⁵⁾	Q7.52213	Q7.34477	Q7.73695	Q7.69884	Q7.79382
Average daily exchange rate for the year	Q7.60206	Q7.35086	Q7.51908	Q7.69835	Q7.72222
Balance of payments⁽⁶⁾:					
Total current account	US\$ 637.3	US\$ 857.1	US\$ 622.3	US\$ 1,791.1	US\$ 4,249.0
<i>of which:</i>					
Trade balance	US\$ (6,077.1)	US\$ (6,791.5)	US\$ (7,984.9)	US\$ (7,966.9)	US\$ (5,926.7)
Services balance.....	US\$ 222.2	US\$ 291.5	US\$ 165.7	US\$ 49.4	US\$ (250.3)
Primary income (net)	US\$ (1,425.3)	US\$ (1,501.1)	US\$ (1,506.5)	US\$ (1,411.6)	US\$ (1,398.3)
Current transfers	US\$ 7,917.4	US\$ 8,858.2	US\$ 9,948.0	US\$ 11,120.3	US\$ 11,824.3
<i>of which:</i>					
Remittances	US\$ 7,259.6	US\$ 8,290.8	US\$ 9,314.5	US\$ 10,536.4	US\$ 11,290.1
Foreign aid	US\$ 385.6	US\$ 274.4	US\$ 305.9	US\$ 298.9	US\$ 315.9
Total capital account	US\$ 0.3	US\$ 0.4	US\$ 0.5	US\$ 0.7	US\$ 0.0
Total financial account	US\$ (1,057.6)	US\$ (2,194.5)	US\$ (728.0)	US\$ (769.9)	US\$ 250.4
<i>of which:</i>					
Private sector, net	US\$ (671.4)	US\$ (2,134.3)	US\$ (757.0)	US\$ (34.7)	US\$ 1,565.2
Change in reserve assets ⁽⁶⁾⁽⁷⁾	US\$ 1,424.0	US\$ 2,600.4	US\$ 987.9	US\$ 1,798.2	US\$ 3,188.5
Bank of Guatemala net international reserves at end of period	US\$ 9,160.4	US\$ 11,769.5	US\$ 12,755.6	US\$ 14,789.0	US\$ 18,462.2
Public sector balance⁽⁷⁾:					
Government revenue	US\$ 7,564.7	US\$ 8,160.5	US\$ 8,291.3	US\$ 8,645.3	US\$ 8,296.3
As a % of GDP	11.5%	11.4%	11.3%	11.3%	10.7%
Government expenditure	US\$ 8,297.8	US\$ 9,152.0	US\$ 9,670.1	US\$ 10,370.6	US\$ 12,111.7
As a % of GDP	12.6%	12.8%	13.2%	13.5%	15.6%
Government fiscal balance	US\$ (733.0)	US\$ (991.4)	US\$ (1,379.0)	US\$ (1,725.2)	US\$ (3,815.4)
As a % of GDP	(1.1)%	(1.4)%	(1.9)%	(2.2)%	(4.9)%
Overall non-financial public sector fiscal balance	US\$ 39.1	US\$ (124.2)	US\$ (698.5)	US\$ 1,363.9	US\$ 2,914.3
As a % of GDP	0.1%	(0.2)%	(1.0)%	(1.8)%	(3.8)%
Public sector debt⁽⁷⁾:					
Public sector external debt.....	US\$ 8,015.5	US\$ 8,183.2	US\$ 8,224.6	US\$ 9,105.8	US\$ 10,449.8
As a % of GDP	12.0%	11.4%	11.6%	11.8%	13.6%
Public sector internal debt	US\$ 8,692.0	US\$ 9,849.9	US\$ 10,648.5	US\$ 11,329.2	US\$ 13,824.3
As a % of GDP	13.0%	13.7%	15.0%	14.8%	18.0%
Total public sector debt.....	US\$ 16,707.5	US\$ 18,033.2	US\$ 18,873.2	US\$ 20,435.0	US\$ 24,274.0
As a % of GDP	25.0%	25.2%	26.6%	26.6%	31.6%

(1) Preliminary data.

(2) Converted from *quetzales* to U.S. dollars at the average daily exchange rate for each year. These numbers are presented to facilitate comparison with other U.S. dollar figures such as balance of payments. Changes year-over-year reflect both the change of amounts in *quetzales* and variations in exchange rates and should not be relied upon as representing the underlying growth rates.

(3) Percentage changes from prior year based on *quetzales*.

(4) Percentage change of the consumer price index from year-to-year.

(5) Exchange rates for transactions in the market involving purchase and sale of U.S. dollars by Guatemalan banks as reported by the Bank of Guatemala.

(6) Represents the results of the balance of payments.

(7) Does not include price changes.

Sources: Bank of Guatemala and the Ministry of Public Finance.

Recent Events

COVID-19

The first positive case of COVID-19 in Guatemala was recorded on March 13, 2020. The Government responded by implementing a containment strategy that included a general lock-down pursuant to the proclamation of a “State of Public Emergency.” The Government also formulated the COVID-19 Emergency Care Plan (*Plan general de atención a la emergencia COVID-19*) as an instrument of institutional organization and management of economic resources for the social and economic protection of the population, as a result of which decrees were issued pursuant to which the creation of programs and provision of funds to implement this plan was proposed. The

plan defines actions to reduce the impact of the pandemic on the health, economy, social, environmental and security sectors.

A number of social and economic programs were derived from the COVID-19 Emergency Care Plan, which have a legal basis in Decree Nos. 12-2020, 13-2020, 20-2020 and 25-2020. The Ministry of Public Finance, together with the Secretariat for Planning and Programming of the Presidency (*Secretaría de Planificación y Programación de la Presidencia*, or “SEGEPLAN”), designed a monitoring board for social programs, which is available for online consultation.

Decree No. 12-2020, Emergency Law to Protect Guatemalans from the Effects of the COVID-19 Pandemic (*Ley de Emergencia Para Proteger a los Guatemaltecos de los Efectos Causados por la Pandemia Coronavirus COVID-19*), expanded the 2020 budget by Q3,667.5 million, to be funded by external loans. Of this amount, Q2,239.13 million was directed to several programs that achieved a total implementation of 82%. These programs include the Fund for Micro, Small and Medium-Sized Companies (*Fondo para las Micro, Pequeñas y Medianas Empresas*), the Fund for Capital Protection (*Fondo de Protección de Capitales*), the Elderly Program (*Programa de Adulto Mayor*) the Program for the Remodeling and Infrastructure of Hospitals and Health Centers (*Programa de Remodelación e Infraestructura de Hospitales y Centros de Salud*) and the Food Program (*Programa de Dotación Alimentaria*).

Decree No. 13-2020, Law for Economic Rescue of Families from the Effects Caused by COVID-19 (*Ley de Rescate Económico a las Familias por los Efectos Causados por el COVID-19*), expanded the 2020 budget by Q11,000.0 million, to be funded from the issuance of treasury bonds that were acquired by the Bank of Guatemala, in accordance with Article 133 of the Constitution of the Republic of Guatemala, as approved by Congress. The programs served by this expansion of the budget achieved, as a whole, a level of implementation of 96%.

Decree No. 20-2020 expanded the 2020 budget by Q5,138.9 million, to be funded mainly from the issuance of treasury bonds (94.2%), with the remainder to be funded by external loans (5.8%). Q1,360.0 million of this expansion was directed to several programs with a total implementation of 83%.

The budget for Decree No. 25-2020, the State Pensioners and Retired Persons Allowance Law (*Ley de Bonificación a Pensionados y Jubilados del Estado*), was Q150.0 million and provided payments to support state pensioners and retired persons in the face of the economic crisis resulting from the COVID-19 pandemic. The level of implementation of this program was 100%.

In addition, pursuant to Decree No. 1-2021, Law for the Financing and Acquisition of Vaccines Against the Coronavirus (*Ley para el Financiamiento y Adquisición de Vacunas contra el COVID-19*), the budget of the Ministry of Public Health and Social Assistance (*Ministerio de Salud Pública y Asistencia Social*, or the “MSPAS”) was increased by Q1,500.0 million for the acquisition of COVID-19 vaccines, and pursuant to Decree No. 11-2021, National Emergency Law for Assistance for the COVID-19 Pandemic (*Ley de Emergencia Nacional para la Atención de la Pandemia COVID-19*), the MSPAS’ budget was increased by Q1,878.0 million to cover expenses incurred to address the medical emergency caused by COVID-19.

The first COVID-19 vaccines were administered in Guatemala on February 25, 2021; however, according to *Our World in Data*, as of September 21, 2021, the percentage of the Guatemalan population that had received at least one dose of a COVID-19 vaccine was the second lowest in Central America (23.10%). According to information available as of September 21, 2021, 4,215,713 people had been vaccinated with the first dose and 2,120,285 people had received two doses of a COVID-19 vaccine. See “Republic of Guatemala—Government Response to the COVID-19 Pandemic” for more information on the Government’s response to the COVID-19 pandemic.

If the spread of COVID-19 continues on its current trajectory, and administration of vaccines does not accelerate, the adverse economic impact that was experienced in 2020 and has continued into 2021 could be exacerbated and Guatemala’s economic, political and social conditions could be materially adversely affected, including the ability of Guatemalans living abroad to send remittances to Guatemala, which is an important source of foreign currency. See “Risk Factors—Risk Factors Relating to Guatemala—Public health crises and epidemics/pandemics, such as the novel strain of coronavirus that are likely to adversely affect Guatemala’s economy.”

Transparency and Corruption

In 2003, the Republic requested the Department of Political and Peacebuilding Affairs of the United Nations assistance to support the Republic in the investigation and prosecution of illegal and clandestine security forces groups that have their origin in counterinsurgency groups that were formed during the Republic's internal armed conflict that took place in the second half of the 20th century. After three years of negotiation between the Republic and the United Nations, on December 12, 2006, the United Nations and the Government of Guatemala signed the agreement to establish the International Commission against Impunity in Guatemala (the "CICIG") which was ratified by Congress on August 1, 2007. This institution was established as an independent international body designed to support the Public Prosecutor's Office (*Ministerio Público*), the National Civil Police (*Policía Nacional Civil*, or the "PNC") and other government institutions, in the investigation of crimes committed by the members of such clandestine groups and to help dismantle them. On March 24, 2009, Guatemala's Minister of Foreign Affairs requested that the United Nations extend the CICIG's mandate for an additional two years, which was granted on April 15, 2009. Three further extensions of the CICIG were requested by the Government. In May 2016, the Secretary General of the United Nations, Ban Ki-Moon, approved the Government's last extension request to further extend the term of the Commission by an additional two years through September 3, 2019.

Since 2015, the CICIG was involved in the investigations of certain high-profile public corruption cases, such as those of former President Otto Pérez Molina, former Vice President Roxana Baldetti and the "*La Línea*" case. On August 30, 2018, the Government announced its decision not to renew the term of the CICIG upon the expiration of the term of its mandate on September 3, 2019. In January 2019, the Government issued a decree that purported to unilaterally terminate the agreement that established the CICIG with immediate effect. The Constitutional Court provisionally suspended this decree in response to a constitutional challenge. As of the date of this offering memorandum, the CICIG is no longer operational in Guatemala as its term expired on September 3, 2019 and there are no plans to re-establish the CICIG.

Notwithstanding the foregoing, the CICIG agreement provided that the CICIG's functions included strengthening the Public Prosecutor's Office and transferring capacities from the CICIG to the Public Prosecutor's Office. According to the Government, the Public Prosecutor's Office was strengthened with the support of CICIG. The transfer of capacities from the CICIG to the Public Prosecutor's Office took place before September 3, 2019, and the Public Prosecutor's Office incorporated the Special Prosecutor's Office against Impunity (*Fiscalía Especial Contra la Impunidad*, or the "FECI") within its structure as a permanent prosecutor's office and grouped the special prosecutors working on the investigation, execution and initiation of high impact criminal cases. The Government expects that efforts against corruption will continue. International reaction to the decision not to renew the term of the CICIG has been mixed, with some positive reactions and also certain criticism.

According to the 2019 annual report of the CICIG, the transfer of functions continued through training programs, establishment of information systems, preparation of investigation reports reflecting acquired know-how, implementation of warrant enforcement protocols, and appropriate management of forensic data. The development of best practices in investigations and litigation was achieved through joint work between the CICIG and the Public Prosecutor's Office, allowing the prosecutors to conduct investigations against organized crime objectively and independently. President Alejandro Giammattei, whose mandate started in 2020, also created the Presidential Commission Against Corruption (*Comisión Presidencial Contra la Corrupción*), as an investigative body within the Executive Branch.

From April 1, 2020 to March 31, 2021, the prosecutors of the Government handling high impact cases achieved the following results: the FECI enforced 26 arrest warrants and/or subpoenas, 60 search warrants and charges against 68 persons, and the Prosecutor Against Corruption enforced 51 seizure orders, 63 search warrants and 26 judgments. The Prosecutor Against Corruption also reported a higher percentage of settlements, increasing from 72% in 2019 to 91% in 2020.

See "Transparency and Corruption" for descriptions of some of the most recent cases relating to corruption, and with respect to actions of the Government to improve transparency.

General Elections

The last general election was held on June 16, 2019. In the first round of the presidential contest, the two candidates to obtain the largest number of votes were Sandra Julieta Torres Casanova of the National Unity of Hope (*Unidad Nacional de la Esperanza*, or the "UNE") and Alejandro Eduardo Giammattei Falla of *Vamos por una*

Guatemala Diferente (Together for a Different Guatemala, or “VAMOS”), with 22.0% and 13.0%, respectively. In the second round of voting held on August 11, 2019, Alejandro Eduardo Giammattei Falla was elected president, obtaining 1,907,801 (58.0%) of the 3,291,913 votes validly cast.

Alejandro Giammattei’s administration implemented the General Government Policy 2020-2024, which proposes the following five strategic pillars which consider the social, political, economic and environmental conditions of the country:

1. Economy, competitiveness and prosperity, seeking to achieve greater economic growth and to significantly increase the sources of sustainable employment.
2. Social development, with the objective of directly and effectively serving the poorest population through targeted and effective social actions.
3. Governance and security in development, which seeks to improve the country’s governance for a peaceful and harmonious coexistence, resulting in adequate investment conditions.
4. A responsible, transparent and effective Government, with an effective and transparent management of the Government institutions for the service of the citizens.
5. Global relations with the purpose of using international relations to maintain good diplomatic ties, and improve international trade, tourism, investment and the treatment of our migrants.

The General Government Policy 2020-2024 also includes environmental considerations which aim to solve problems in relation to environmental sustainability, natural resources and climate change.

Currently the legislative branch has 160 deputies elected through universal vote in national elections by secret ballot, which represent 19 political parties. The political parties with the most representation are UNE with 52 deputies (32.5%), VAMOS with 17 deputies (10.6%), and *Unión del Cambio Nacional* with 12 deputies (7.5%).

THE OFFERING

The following summary contains basic information about the Notes and is not intended to be complete. It does not contain all of the information that may be important to you. For a more complete description of the Notes, see “Description of the Notes.”

Issuer	The Republic of Guatemala.
Principal Amount.....	For the 2033 Notes, US\$500,000,000 aggregate principal amount. For the 2041 Notes, US\$500,000,000 aggregate principal amount.
Issue Price.....	For the 2033 Notes, 97.629% of the principal amount of the Notes, plus accrued interest, if any, from October 7, 2021. For the 2041 Notes, 97.458% of the principal amount of the Notes, plus accrued interest, if any, from October 7, 2021.
Issue Date	October 7, 2021.
Maturity Date.....	For the 2033 Notes, October 7, 2033. For the 2041 Notes, October 7, 2041.
Interest Rate.....	For the 2033 Notes, 3.700% per annum. For the 2041 Notes, 4.650% per annum.
Interest Payment Dates	April 7 and October 7 of each year, commencing on April 7, 2022.
Withholding Tax and Additional Amounts	Principal and interest on the Notes are payable by the Republic without withholding or deduction for any taxes imposed by the Republic, unless required by law. In the event that the Republic is required by law to deduct or withhold taxes, duties, fines, penalties, assessments or other governmental charges, the Republic will pay Additional Amounts (as defined herein) as necessary to enable holders of Notes to receive such amounts after such deduction or withholding as they would have received absent such deduction or withholding, subject to certain exceptions. See “Description of the Notes—Additional Amounts” and “Taxation.”
Ranking	The Notes will constitute general, direct, unconditional, unsubordinated and unsecured Indebtedness (as defined herein) of the Republic and will rank at least equally among themselves and with all other existing and future unsubordinated and unsecured Public External Indebtedness (as defined herein) of the Republic; it being understood that this provision shall not be construed so as to require the Republic to make payments under the Notes ratably with payments being made under any other Public External Indebtedness. See “Description of the Notes—Covenants—Ranking” and “Description of the Notes—Certain Definitions.”
Form	The Republic will issue the Notes of each series in the form of one or more Global Notes, without coupons, registered in the name of a nominee of DTC, as depository, for the accounts of its participants (including, direct and indirect participants, such as Euroclear and Clearstream). Notes in definitive certificated form will not be issued in exchange for Global Notes except

	under limited circumstances. See “Description of the Notes—Form, Denomination and Title” and “Book-Entry Settlement and Clearance.”
Denominations.....	The Notes will be issued in denominations of US\$200,000 and integral multiples of US\$1,000 in excess thereof.
Optional Redemption.....	<p>The Republic may redeem the 2033 Notes, in whole at any time or in part from time to time, prior to July 7, 2033 (the date that is three months prior to the 2033 Notes Maturity Date (the “2033 Notes Par Call Date”)), by paying the greater of the outstanding principal amount of the 2033 Notes and a “make-whole” amount calculated by the Republic, in each case, plus accrued and unpaid interest to, but excluding, the redemption date. On or after the 2033 Notes Par Call Date, the Republic may, at its option, redeem the 2033 Notes, in whole at any time or in part from time to time, at a redemption price equal to 100% of the principal amount of the 2033 Notes to be redeemed, plus accrued and unpaid interest to, but excluding, the redemption date. See “Description of the Notes—Optional Redemption—2033 Notes.”</p> <p>The Republic may redeem the 2041 Notes, in whole at any time or in part from time to time, prior to April 7, 2041 (the date that is six months prior to the 2041 Notes Maturity Date (the “2041 Notes Par Call Date”)), by paying the greater of the outstanding principal amount of the 2041 Notes and a “make-whole” amount calculated by the Republic, in each case, plus accrued and unpaid interest to, but excluding, the redemption date. On or after the 2041 Notes Par Call Date, the Republic may, at its option, redeem the 2041 Notes, in whole at any time or in part from time to time, at a redemption price equal to 100% of the principal amount of the 2041 Notes to be redeemed, plus accrued and unpaid interest to, but excluding, the redemption date. See “Description of the Notes—Optional Redemption—2041 Notes.”</p>
Negative Pledge and Certain Covenants	The Description of the Notes contains certain covenants and restrictions on the creation or subsistence of any Lien (as defined herein) securing Public External Indebtedness, with certain exceptions. See “Description of the Notes—Covenants” and “Description of the Notes—Certain Definitions.”
Events of Default.....	The Notes will contain events of default, the occurrence of which may result in the acceleration of the Republic’s obligations under the Notes prior to maturity. See “Description of the Notes—Events of Default.”
Transfer Restrictions.....	The Notes have not been and will not be registered under the Securities Act and, subject to certain exceptions, may not be offered or sold within the United States. The Notes will be subject to restrictions on transfer. See “Transfer Restrictions.”
Use of Proceeds	The Republic will use the net proceeds from the sale of the Notes for general budgetary purposes, including to refinance the Republic’s public indebtedness. See “Use of Proceeds.”
Collective Action Clauses	The Notes of each series will contain “collective action clauses.” Under these provisions we may amend the payment

provisions of any series of debt securities (which contain such “collective action clauses”) issued by the Republic (including the Notes of each series) and other reserved matters listed in the fiscal agency agreements pursuant to which the Notes will be issued with the consent of the holders of: (1) with respect to the Notes of a series, more than 75% of the aggregate principal amount of the outstanding Notes of such series; (2) with respect to two or more series of debt securities (including the Notes of each series), if certain “uniformly applicable” requirements are met, more than 75% of the aggregate principal amount of the outstanding debt securities of all series (including the Notes of each series) affected by the proposed modification, taken in the aggregate; or (3) with respect to two or more series of debt securities (including the Notes of each series), whether or not the “uniformly applicable” requirements are met, more than 66⅔% of the aggregate principal amount of the outstanding debt securities of all series (including the Notes of each series) affected by the proposed modification, taken in the aggregate, and more than 50% of the aggregate principal amount of the outstanding debt securities of each series (including the Notes of each series) affected by the proposed modification, taken individually. See “Description of the Notes—Collective Action; Meetings, Modifications, Amendments and Waivers.”

Further Issues.....	The Republic may from time to time, without the consent of the holders of the Notes of a series, create and issue additional Notes of such series having the same terms and conditions as the Notes of such series in all respects, except for the issue date, the issue price, the date from which interest accrues and the first date on which interest will be paid. Additional Notes of a series issued in this manner will be consolidated with and will form a single issue with the Notes of such series; <i>provided</i> that, if any such additional Notes are not fungible for U.S. federal income tax purposes with any Notes of such series previously issued, such additional Notes shall trade separately from such previously issued Notes under a separate CUSIP number but shall otherwise be treated as a single class with all other previously issued Notes of such series.
Listing.....	Application will be made to list the Notes on the Luxembourg Stock Exchange and to have the Notes admitted to trading on the Euro MTF Market.
Governing Law.....	The fiscal agency agreements pursuant to which the Notes will be issued and the Notes will be governed by, and construed in accordance with, the laws of the State of New York, United States of America, except that the due authorization and execution of the Notes by the Republic will be governed by the laws of the Republic of Guatemala.
Fiscal Agent, Paying Agent, Transfer Agent and Registrar	The Bank of New York Mellon.

USE OF PROCEEDS

The Republic will use the net proceeds from the sale of the Notes for general budgetary purposes, including to refinance the Republic's public indebtedness.

RISK FACTORS

An investment in the Notes involves a high degree of risk. This section describes certain risks associated with investing in the Notes. Before deciding to purchase the Notes, you should read carefully all of the information contained in this offering memorandum including, in particular, the following risk factors. You should consult your financial and legal advisors about the risk of investing in the Notes. Guatemala disclaims any responsibility for advising you on these matters.

Risk Factors Relating to Guatemala

Guatemala's economy remains vulnerable to external shocks, including current global economic conditions and those that could be caused by future significant economic difficulties of its major regional trading partners or by more general "contagion" effects, any of which could have a material adverse effect on Guatemala's economic growth and its ability to service its public debt.

Emerging-market investments generally poses a greater degree of risk than investments in more mature market economies because the economies in the developing world are more susceptible to destabilization resulting from domestic and international developments.

A significant decline in the economic growth of any of Guatemala's major trading partners could adversely affect Guatemala's economic growth. In addition, because international investors' reactions to the events occurring in one emerging market country sometimes appear to demonstrate a "contagion" effect, in which an entire region or class of investment is disfavored by international investors, Guatemala could be adversely affected by negative economic or financial developments in other emerging market countries.

There can be no assurance that any crises such as those described above or similar events will not negatively affect investor confidence in emerging markets or the economies of the principal countries in Latin America, including Guatemala. In addition, there can be no assurance that these events will not adversely affect Guatemala's economy or its ability to raise capital in the international debt capital markets in the future.

Guatemala has been affected by political, social, security and other problems and corruption scandals, and the political, economic and social effects of these problems and scandals could adversely affect the Republic.

The Government has implemented strategies to prevent criminal activities, including increasing patrolling, isolating gang leaders and creating working groups among Government institutions to design policies against criminality. As a result, the rates of criminal activity, homicide and economic crime decreased 17.8%, 29.2% and 15.3%, respectively, in 2020 compared to 2019. However, Guatemala is a developing country that has been affected by political, social, security and other problems and conditions, including, among others, trafficking of drugs, human trafficking, organized crime, high crime rates, corruption, human rights concerns, and the need to implement political, economic and social reforms. In particular, Guatemala has historically experienced perceived levels of corruption, among other social and political problems, which affected, among other things, the ability of the Government to implement political, economic and social reforms.

The agreement that established the CICIG was signed in 2006. The CICIG was an international and independent organization created to support, strengthen and provide assistance to institutions in Guatemala to investigate and prosecute illegal and clandestine security forces groups engaged in counterinsurgency that were formed during the Republic's armed conflict that took place during the second half of the 20th century. This agreement was ratified by Congress in August 2007, after the Constitutional Court issued a favorable advisory opinion.

On August 30, 2018, the Government announced its decision not to renew the CICIG's term when it expired on September 3, 2019. In January 2019, the Government issued a decree that purported to unilaterally terminate the agreement that established the CICIG with immediate effect. The Constitutional Court provisionally suspended this decree in response to a constitutional challenge. The CICIG agreement was not renewed after the September 3, 2019 expiration date and therefore its mandate concluded as of that date. Notwithstanding the foregoing, the CICIG agreement provided that the CICIG's functions included strengthening the Public Prosecutor's Office and transferring capacities from the CICIG to the Public Prosecutor's Office. According to the Government, the Public Prosecutor's Office was strengthened with the support of the CICIG. The transfer of capacities from the CICIG to the Public Prosecutor's Office took place before September 3, 2019, and the Public Prosecutor's Office incorporated the FECEI, which was created as a result of the CICIG agreement, within its structure as a permanent

prosecutor's office, and grouped the special prosecutors working on the investigation, execution and initiation of high impact criminal cases.

During 2015, various corruption scandals in Guatemala prompted legal action against government officials and significant public political protests. Guatemala's Head of the Public Prosecutor's Office (*Fiscal General del Ministerio Público*) and the CICIG presented criminal accusations against a considerable number of high-ranking government officials. On May 20, 2015, the president of the Bank of Guatemala and the Monetary Board, Julio Suárez, was arrested, and on May 21, 2015, Juan de Dios Rodríguez, President Otto Pérez Molina's former Secretary General of the Presidency, and head of the Guatemalan Social Security Institute (*Instituto Guatemalteco de Seguridad Social*, or "IGSS"), was arrested, both on charges including fraud and influence trafficking related to a medical services contract awarded by the Guatemalan Social Security Institute. In addition, in May and June 2015, several other government officials, including Vice President Roxana Baldetti, resigned from their respective offices due to accusations of corruption. On July 9, 2015, Gustavo Adolfo Martínez Luna, former Secretary General of the Presidency, was arrested on charges of influence peddling, among others. On August 21, 2015, former Vice President Baldetti was arrested on charges of conspiracy, fraud and customs fraud, all related to her alleged involvement in the customs corruption conspiracy over which she had previously resigned. On that same day, Guatemala's Public Prosecutor's Office in conjunction with the CICIG filed a request for the impeachment of President Otto Perez Molina over his alleged involvement in the customs corruption case. On September 2, 2015, President Otto Perez Molina resigned from office following a vote of Congress to strip him of immunity, and an arrest warrant for Perez Molina was issued on the same day, which led to his arrest. Alejandro Maldonado, who was appointed Vice President after the resignation of former Vice President Baldetti, was subsequently sworn in as President of Guatemala. On September 16, 2015, Juan Alfonso Fuentes Soria was appointed Vice President by Congress. On October 25, 2015, Jimmy Morales was elected president of Guatemala by a majority of votes in the second round presidential election and took office on January 14, 2016.

The corruption scandals in Guatemala prompted significant public political protests. During the first quarter of 2016, ongoing investigations by Guatemala's Public Prosecutor's Office and the CICIG led to further accusations against Perez Molina and Baldetti as well as accusations and arrests on charges including fraud and influence trafficking of other high-ranking officials of Perez Molina's government. On October 27, 2017, the Court of Higher Risk "B" (*Juzgado de Mayor Riesgo "B,"* a local court which has specific jurisdiction over high impact cases) remanded 28 individuals to trial, including Perez Molina and Baldetti, who were accused of leading the criminal group known as "*La Línea*," in which businessmen and former officials of the SAT were involved. See "Transparency and Corruption—Recent Developments in Corruption Cases—"La Línea" Case."

In addition, on February 24, 2017, the United States Embassy in Guatemala issued a statement detailing that Guatemala's former Vice President Roxana Baldetti and former Minister of the Interior, Mauricio López Bonilla, were charged separately on February 22, 2017 before the United States District Court for the District of Columbia for conspiring to distribute five or more kilograms of cocaine with the intent and knowledge that it would be illegally imported into the United States. See "Transparency and Corruption."

On March 18, 2019, an arrest warrant was issued for Thelma Esperanza Aldana Hernández, who was Head of the Public Prosecutor's Office from May 2014 to May 2018. Ms. Aldana's arrest warrant was issued by Judge Victor Cruz relating to her hiring of lawyer Gustavo Bonilla, who allegedly failed to comply with his responsibilities as consultant of the Public Prosecutor's Office. She was charged with embezzlement, misappropriation in a continuous manner, fraud and tax fraud. See "Transparency and Corruption."

Government Agreement No. 28-2020 issued on January 20, 2020, created the Presidential Commission against Corruption and appointed Oscar Dávila as commissioner. The purpose of this commission is to support the actions of the Ministries and Institutions of the Executive Branch to fight corruption and coordinate the Public Policy for Prevention and Fight Against Corruption. As of the date of this offering memorandum, the number of corruption claims filed with this commission is low.

Further developments related to the scandals could have a significant effect on Guatemala's political, economic and social stability. While the current administration has indicated that it intends to devote resources and efforts to combat these political, social, security and other problems, no assurance can be given, that these problems and conditions will be successfully remedied in the near term or at all.

Guatemala has experienced, and may continue to experience, internal security issues that could have a negative effect on the Guatemalan economy and political climate.

Guatemala has experienced internal security issues in recent years due to gang violence, drug trafficking and a number of institutional and structural factors, such as weak law enforcement and social inequality.

The indigenous regions of the western highlands of Guatemala have very low levels of violence, with some places showing consistently single digit rates, violence is, in fact, concentrated in the metropolitan area of Guatemala City and its surrounding municipalities. Although only a fifth of the population lives in the metropolitan area of Guatemala City, one third of the homicides occur in that area. The eastern region, which borders Honduras and El Salvador, has had the highest homicide rates in the country for decades, even before Central America became a relevant part of cocaine trafficking routes from South to North America.

Youth gangs in poor urban neighborhoods are one of the main causes of violence in Guatemala. Those gangs have resorted to extortion, specifically against owners of small businesses and public bus drivers. These criminal organizations have exercised very violent means to achieve their goals. Another threat in terms of internal security is the vulnerability of some members of the police or local authorities to bribes and coercion from those criminal groups.

Any worsening of the internal security situation may have a negative effect in the future on Guatemalan economic and political conditions.

Judicial systems in jurisdictions such as Guatemala can be weak and have previously required the assistance of special commissions to strengthen such systems.

Guatemala's judicial system is not as stable as that of the United States. An official commission (*Comisión Nacional para el Seguimiento y Apoyo al Fortalecimiento de la Justicia*) has been established to review existing legal and institutional arrangements in order to propose reforms designed to strengthen the judiciary and the rule of law generally. Failure to implement these reforms may delay enforceability of general obligations and limit the ability of holders of the Notes to obtain payment on the Notes through domestic judicial proceedings.

Congress has yet to elect the judges of the Supreme Court and the Appellate Courts, whose term expired in October 2019. Judges of the Supreme Court and the Appellate Courts are subject to a five year term, after which Congress is responsible for electing them from a list of candidates prepared by a commission that is comprised of representatives of the Guatemalan Bar Association, law school deans, judges and a representative of all the university chancellors. The process was delayed twice due to constitutional challenges. As a result of the first delay due to the lack of career judges in the lists for the election process, the commission had to re-do the process based on a decision of the Constitutional Court. After the completion of the second process, an investigation by the FECCI (see "Transparency and Corruption" for a brief description of the case) revealed manipulation by people accused of corruption, resulting in a second constitutional challenge. The Constitutional Court required the Public Prosecutor's Office to issue a report to Congress regarding these investigations, and ordered Congress to: (i) exclude all the candidates accused by the FECCI; and (ii) perform the election with each Congressperson explaining the decision to vote for each candidate vocally. Congress has scheduled the election to take place in two sessions per week, but no advances have been made. In the meantime, the Courts are working with the previously appointed judges, until their successors are elected.

The members of the Constitutional Court have been recently appointed for a new term of five years. This Court is composed of five magistrates and five alternates who are elected by the Executive Branch, Congress, the Supreme Court, the Guatemalan Bar Association and *Universidad de San Carlos* (Guatemala's Public University). As of the date of this offering memorandum, one of the members has not yet been seated due to the injunctions brought against their appointment.

Public health crises and epidemics/pandemics, such as the novel strain of coronavirus, are likely to adversely affect Guatemala's economy.

In December 2019, a novel strain of coronavirus (COVID-19) was reported to have surfaced in Wuhan, China. COVID-19 has since spread to over 175 countries. On March 11, 2020, the World Health Organization declared COVID-19 a pandemic. The continued spread has led to a public health crisis and has caused disruption and volatility in the global capital markets, which increases the cost of, and adversely impacts access to, capital and increases economic uncertainty. It is likely that the pandemic will cause an economic slowdown of potentially extended duration, and it is probable that it could cause a global economic recession.

As part of its preventive measures, the Executive Branch published, on March 6, 2020, Government Decree No. 5-2020, declaring a state of national public emergency for a thirty-day period (this decree was ratified by Congress on March 22, 2020 through Congressional Decree No. 08-2020). This decree allowed the President to establish certain protocols, regulations, procedures, treatment guidelines, response plans, human and material resources as a prevention, containment and response strategy to the outbreak of COVID-19 in Guatemala, which included amongst others the following provisions: limitations on the freedom to travel (*derecho de locomoción*), prohibitions of public events and meetings, implementation of a daily curfew from 4:00 p.m. to 4:00 a.m., limitations on social contact, cancellation of sports and religious activities, prohibition of hoarding of basic goods and medicines and closure of air, sea and land borders throughout the national territory. The state of national public emergency, including the COVID-19 response measures it imposed, were lifted on October 1, 2020.

The COVID-19 pandemic has caused volatility in the international capital markets and has resulted in decreased global growth estimates for 2020 and 2021. The rapid development and fluidity of this situation precludes any prediction as to the ultimate adverse impact of COVID-19 on the Guatemalan economy. The magnitude and duration of the pandemic and its impact on Guatemala's economic, social and public health situation is uncertain as the pandemic continues to evolve globally. If the spread continues on its current trajectory, such impact could grow and Guatemala's economic, political and social conditions could be materially adversely affected.

To the extent the COVID-19 pandemic adversely affects the Guatemalan's economy, political and social situation, it may also have the effect of heightening many of the other risks described in this "Risk Factors" section.

Severe weather, natural disasters and adverse climate changes may materially adversely affect Guatemala's economy.

Guatemala's economy is heavily reliant on agriculture, which accounted, together with livestock, forestry and fishing, for approximately 10.1% of Guatemala's GDP in 2020. Guatemala's economy is therefore very susceptible to severe weather conditions, such as droughts and floods, which can significantly affect crop production. Low agricultural production would significantly adversely affect Guatemala's economy and, as a result, could have an adverse effect on Guatemala's ability to perform its obligations under the Notes.

The Guatemalan economy may contract in the future, which could have a material adverse effect on public finances and on the market price of the Notes.

The Guatemalan economy experienced real GDP growth of 2.7% in 2016, 3.1% in 2017, 3.3% in 2018, and 3.9% in 2019 and, according to preliminary data, registered a decrease of 1.5% in 2020 due to the COVID-19 pandemic. The Republic cannot assure investors that its economy will continue to grow in the future. Guatemala's economic growth depends on a variety of factors, including, among others, international demand and prices for Guatemalan exports, economic conditions in the countries that serve as Guatemala's most important trading partners, climatic factors affecting Guatemala's agricultural sector, fiscal and monetary policies, confidence among Guatemalan consumers and foreign and domestic investors and their rates of investment in Guatemala, the willingness and ability of businesses to engage in new capital spending, the exchange rate and the rate of inflation. Some of these factors are outside of the Republic's control. A sustained recession could result in a material decrease in Guatemala's fiscal revenues, or a significant depreciation of the *quetzal* over an extended period of time could adversely affect Guatemala's debt/GDP ratio, either of which in turn would materially and adversely affect the ability of the Republic to service its public debt, particularly its debt obligations denominated in foreign currencies, including the Notes.

Fluctuations in exchange rates between the quetzal and the U.S. dollar in the future may adversely affect Guatemala's ability to perform its obligations under the Notes.

From time to time, the Bank of Guatemala intervenes in the foreign exchange market in order to stabilize the rate of exchange of the *quetzal* against the U.S. dollar. In particular, the Bank of Guatemala has the ability to purchase and sell currency in order to offset unusual volatility in the *quetzal*/U.S. dollar exchange rate, and to call for auctions for the purchase or sale of U.S. dollars if the *quetzal*/U.S. dollar exchange rate significantly fluctuates. However, if the *quetzal* should depreciate significantly against the U.S. dollar over an extended period of time, economic growth in Guatemala could be adversely affected or even reversed, and it could be more difficult for the Republic to repay debt obligations denominated in foreign currency, such as the Notes. Alternatively, if the *quetzal* should appreciate significantly, Guatemala's exports may be affected, which would adversely affect Guatemala's economy and Guatemala's ability to perform its obligations under the Notes. As a result of the COVID-19

pandemic, a decrease of remittances and an increase in private capital was observed during March 2020, resulting in depreciation of the *quetzal*.

An increase in inflation and government measures to curb inflation may adversely affect the Guatemalan economy.

Guatemala's economy has experienced high levels of inflation in the past and may experience high levels of inflation in the future. Periods of rapid economic expansion and contraction in Guatemala may result in volatile rates of inflation. The inflation rate for 2017 was 5.7%, for 2018 was 2.3% and for 2019 was 3.5%. In 2020, due to the social and economic effects of the COVID-19 pandemic, according to preliminary data, real GDP decreased 1.5%. In the future, significant inflation may cause Guatemala to impose controls on credit and/or prices, or to take other contractionary action, which could inhibit Guatemala's economic growth. In addition, inflation can result in greater market volatility by causing economic uncertainties and reduced consumption, GDP growth and consumer confidence. Any of these factors can have a material adverse effect on the Republic's economic results.

A significant increase in interest rates in the international financial markets could have a material adverse effect on the economies of Guatemala's trading partners and adversely affect Guatemala's economic growth and Guatemala's ability to make payments on its outstanding public debt, including the Notes.

Although governments have recently been decreasing interest rates in response to the COVID-19 crisis, if interest rates outside Guatemala were to subsequently increase significantly, Guatemala and its trading partners, in particular, its Central American neighbors and Mexico, could find it more burdensome to borrow capital and refinance their existing debt. These increased costs could, in turn, adversely affect economic growth in those countries. Decreased growth on the part of Guatemala's trading partners could have a material adverse effect on the markets for Guatemala's exports and, in turn, adversely affect Guatemala's economy. An increase in interest rates would also increase Guatemala's debt service requirements with respect to Guatemala's debt obligations that accrue interest at floating rates. As a result, Guatemala's ability to make payments on its outstanding public debt generally, including the Notes, would be adversely affected. Likewise, an increase in interest rates may also negatively affect Guatemalan companies, potentially depressing their growth and reducing tax collection.

A significant depreciation of the currencies of Guatemala's trading partners or trade competitors may adversely affect the competitiveness of Guatemalan exports and cause an increase in Guatemala's imports, thus adversely affecting Guatemala's economy.

During 2020, the *quetzal* depreciated by 1.2% against the U.S. dollar. The depreciation of the currencies of one or more of Guatemala's trade partners (including, in particular, the United States and Mexico) or trade competitors relative to the *quetzal* may result in Guatemalan exports becoming more expensive and less competitive. It may also cause an increase in cheaper imports. A decrease in exports and an increase in imports may have a material adverse effect on Guatemala's economic growth, its financial condition and the ability of Guatemala to service its public debt, including the Notes.

The Government may be unable to obtain financing on satisfactory terms in the future, which could have a material adverse effect on Guatemala's ability to make payments on its outstanding public debt, including the Notes.

Although Guatemala has met its debt obligations for at least 20 years, Guatemala's future tax revenue and fiscal results may be insufficient to meet its debt service obligations and Guatemala may have to rely in part on additional financing from domestic and international capital markets in order to meet future debt service obligations. As of the date of this offering memorandum, Guatemala has been able to obtain financing on satisfactory terms. However, in the future, including if the Government defaults on its debt instruments, the Government may not be able or willing to access international or domestic capital markets, and, as a result, the Republic's ability to service its outstanding public debt, including the Notes, could be adversely affected.

A significant decrease in remittances from Guatemalans living abroad could have a material adverse effect on our ability to make payments on our outstanding public debt, including the Notes.

Remittances from Guatemalans living abroad, which are primarily in U.S. dollars, are an important source of foreign currency. See "Balance of Payments and Foreign Trade—Remittances." There can be no assurance that the level of remittances to the Republic will not decrease significantly in the future as a result of an economic contraction in the source market, or any other reason. The administration of former United States President Donald J. Trump implemented policies that threatened to reduce the inflow of remittances to Guatemala, including

deportation of undocumented immigrants living in the United States, including immigrants from Guatemala, and a tax on outgoing remittances. While the current administration of United States President Joseph R. Biden has indicated a desire to partner with Guatemala to address the economic, governance and security conditions influencing out-migration, certain policies implemented by the Trump administration could remain in place, and the implementation of new policies restricting immigration could reduce the flow of remittances to Guatemala. Furthermore, the global economic slowdown generated by the COVID-19 pandemic could have a negative effect on the flow of remittances to Guatemala. A significant decrease in remittances may lead to a depreciation of the *quetzales* and adversely affect our ability to make payment on our outstanding public debt, including the Notes.

Any change to Guatemala’s official financial or economic data resulting from any subsequent review of such data by the Bank of Guatemala or other government entities could have a material adverse effect on Guatemala’s ability to make payments on its outstanding public debt, including the Notes.

Certain economic and other information presented in this offering memorandum may subsequently be materially adjusted or revised to reflect new or more accurate data as a result of the periodic review of Guatemala’s official financial and economic statistics. Such revisions could reveal that Guatemala’s economic and financial conditions as of any particular date are materially different from those described in this offering memorandum. The Republic can give no assurance that such adjustments or revisions will not have a material adverse effect on the interests of Guatemala’s creditors, including any purchasers of the Notes.

The 2021 budget was not approved.

The General Budget of Revenues and Expenditures for 2021 was not approved within the term established by the Political Constitution of the Republic of Guatemala. As a result, the budget approved by means of Decree No. 25-2018, which was extended by the Congress of the Republic of Guatemala by means of Decree Nos. 12-2020, 13-2020 and 20-2020 to respond to the COVID-19 pandemic, remained in force for 2021. Consequently, an opening budget of Q107,521.5 million was established for 2021. Without an approved budget for 2021, certain government programs could be underfunded or not funded at all. On September 2, 2021, the Ministry of Public Finance presented a proposal for the General Budget of Revenues and Expenditures for 2022 to the Guatemalan Congress, which will decide on its approval before November 30, 2021.

Risk Factors Relating to the Notes

The Notes will contain provisions that permit Guatemala to amend payment terms without the consent of all holders.

The Notes of each series will contain provisions, commonly known as “collective action clauses.” Under these provisions, certain key terms of certain series of debt securities of the Republic (including the Notes of each series) may be amended, including the maturity date, the interest rate and other reserved matters listed in the fiscal agency agreements pursuant to which the Notes will be issued, with the consent of the holders of: (1) with respect to the debt securities of a series (including the Notes of each series), more than 75% of the aggregate principal amount of the outstanding debt securities of such series; (2) with respect to two or more series of debt securities (including any Notes of each series), if certain “uniformly applicable” requirements are met, more than 75% of the aggregate principal amount of the outstanding debt securities of all series (including Notes of each series) affected by the proposed modification, taken in the aggregate; or (3) with respect to two or more series of debt securities (including Notes of each series), more than 66⅔% of the aggregate principal amount of the outstanding debt securities of all series (including the Notes of each series) affected by the proposed modification, taken in the aggregate, and more than 50% of the aggregate principal amount of the outstanding debt securities of each series (including Notes of each series) affected by the proposed modification, taken individually. See “Description of the Notes—Collective Action; Meetings, Modifications, Amendments and Waivers.” These provisions permit defined majorities to bind all holders of the Notes of each series including holders who do not approve such modification.

There is no established trading market for the Notes of either series, and the price at which the Notes of each series will trade in the secondary market is uncertain.

Although we have agreed to apply to list the Notes of each series on the Luxembourg Stock Exchange for trading on the Euro MTF Market, the Notes of each series will be new issues of securities with no established trading market. We do not know the extent to which investor interest will lead to the development of an active trading market for the Notes of either series or how liquid that market may become if it does develop. If the Notes of a series are traded after their initial issuance, they may trade at prices lower than their principal amount, depending

upon prevailing interest rates, the market for similar securities and general economic conditions in Guatemala and elsewhere. If an active market for the Notes of a series fails to develop or continue, the trading prices of the Notes of such series may be negatively affected.

The ability of holders to transfer Notes in the United States and certain other jurisdictions will be limited.

The Notes will not be registered under the Securities Act and, therefore, may not be offered or sold in the United States except pursuant to an exemption from the registration requirements of the Securities Act and applicable U.S. state securities laws. Offers and sales of the Notes may also be subject to transfer restrictions in other jurisdictions. You should consult your financial or legal advisors for advice concerning applicable transfer restrictions with respect to the Notes. See “Transfer Restrictions.”

The Republic’s credit ratings may not reflect all risks of investing in the Notes.

The Republic’s credit ratings are an assessment by rating agencies of the Republic’s ability to pay its debts when due. Consequently, real or anticipated changes in the Republic’s credit ratings will generally affect the market price of the Notes. These credit ratings may not reflect the potential impact of risks relating to the structure or marketing of the Notes. Ratings are not a recommendation to buy, sell or hold any security, and may be revised or withdrawn at any time by the issuing organization.

The Republic could redeem the Notes before maturity.

The Republic may redeem the Notes of either series, in whole or in part, under certain circumstances described under “Description of the Notes—Optional Redemption.” An investor may not be able to reinvest the redemption proceeds in other securities with yields similar to those of the Notes redeemed.

Guatemala is a foreign sovereign state and accordingly it may be difficult to obtain or enforce judgments against it.

Guatemala is a foreign sovereign state. As a result, it may be difficult or impossible for investors to obtain or enforce judgments against Guatemala whether in an investor’s own jurisdiction or elsewhere. See “Enforcement of Civil Liabilities.”

Certain economic risks are inherent in any investment in an emerging market country such as Guatemala.

Investing in an emerging market country such as Guatemala carries economic risks. These risks include many different factors that may affect Guatemala’s economic results, including the following:

- interest rates in the United States and financial markets outside Guatemala;
- changes in economic or tax policies;
- the imposition of trade barriers;
- changes in general economic, business or political or other conditions in Guatemala, Latin America or global markets;
- changes in capital markets in general that may affect policies or attitudes towards investing in Guatemala;
- the ability of Guatemala to effect key economic reforms; and
- the impact of hostilities or political unrest in other countries that may affect international trade, commodity prices and the global economy.

Any of these factors, as well as volatility in the markets for securities similar to the Notes, may adversely affect the liquidity of, and trading markets for, the Notes.

REPUBLIC OF GUATEMALA

Territory and Population

Guatemalans descend from the Mayans, a culture almost 4,000 years old that remains vibrant. Its richness is extraordinary not only from a cultural perspective, but also from a historical and geographical one.

The Guatemalan territory is approximately 42,042 square miles (108,889 square kilometers), and approximately two thirds of it is mountainous, with numerous volcanoes, lakes and rivers. It has access to the Pacific and Atlantic oceans, and the country is well interconnected with other countries by air, land and sea. Travel distances are short so visitors may travel to different regions and climates in the same trip.

Guatemala is located in the northwest part of Central America. It is bordered by Mexico to the northwest; Belize to the northeast; Honduras to the east, and El Salvador to the southeast. Guatemala's population, based in the last census of 2018, was estimated to be 16.9 million in 2020 and 17.1 million in 2021. It is estimated that in 2020 50.8% of the population was female and 62.5% was younger than 30, based on the 2018 census. The rate of growth of the population decreased slightly from 1.7% in 2016 to approximately 1.5% in 2020.

Guatemala is a free, independent and sovereign republic having gained independence from Spain in 1821. The administration is decentralized and as of December 31, 2020, it is organized into eight regions (Metropolitan, North, Northwest, Southwest, Central, Southeast, Northeast and Petén), 22 Departments, and 340 Municipalities. Approximately 50.1% of the population lives in five of 22 departments: Guatemala (20.9%), Huehuetenango (8.1%), Alta Verapaz (7.9%), San Marcos (7.0%) and Quiché (6.3%).

Historical Highlights

Guatemala gained independence from Spain in 1821, briefly becoming a part of the Mexican Empire. After independence from Mexico in 1823, Guatemala formed part of the United Provinces of Central America, a federation of Central American republics that lasted for two decades. From 1838 until the 1920s, Guatemala was governed by a series of autocratic leaders, including Rafael Carrera, Justo Rufino Barrios and Manuel Estrada Cabrera. A decade of limited political democratization occurred in the 1920s. Between 1931 and 1944, during the administration of General Jorge Ubico, the military increased in size and importance. After a popular revolution in 1944, a civilian president, Juan José Arévalo, implemented a series of reforms, relating in particular to land ownership, education and labor. His elected successor, Colonel Jacobo Arbenz Guzmán, attempted to extend this reform process, but was overthrown in 1954 in a non-violent military coup led by Colonel Carlos Castillo Armas that was supported by foreign governments. Between 1954 and 1960, both Colonel Castillo Armas and his successor, General Miguel Ydígoras Fuentes, reversed many of the reforms initiated by the Arévalo and Arbenz administrations.

In response to these changes and General Ydígoras' increasingly autocratic rule, a group of junior military officers attempted to overthrow the Government in 1960. When the coup attempt failed, some of these officers began an armed insurrection. Fostered by discrimination against indigenous peoples, exclusion of certain groups from the political process, disenfranchisement of the poor and international geo-political interests related to the Cold War, this armed conflict continued for 36 years. Three principal guerrilla groups conducted economic sabotage and targeted Government installations and members of the Government security forces in armed attacks during this period. These three organizations combined to form the Guatemalan National Revolutionary Unit (*Unidad Revolucionaria Nacional Guatemalteca*, or the "URNG"). The military continued to control or heavily influence Guatemalan politics and government throughout the 1970s and early 1980s. In 1982, a military coup brought General Efraín Ríos Montt to power. Under General Ríos Montt's regime, the counterinsurgency campaign intensified.

Military rule began to ease in 1985 under General Oscar Mejía Victores, who succeeded General Ríos Montt in 1983. Electoral laws were enacted and congressional elections scheduled. On May 31, 1985, after nine months of debate, a new constitution was adopted, and in November 1985, general elections were held and Vinicio Cerezo, the presidential candidate of the Guatemalan Christian Democracy party (*Democracia Cristiana Guatemalteca*) won the presidency with approximately 70% of the vote. President Cerezo took office in January 1986. The new constitution provided for many reforms, including new laws of *habeas corpus*, the creation of a legislative human rights committee, the establishment of the office of the Human Rights Ombudsman and the establishment of the Constitutional Court. President Cerezo's administration created the National Reconciliation

Commission to initiate a peace dialogue with Guatemala's revolutionary groups. In addition, the Supreme Court embarked on a series of reforms to fight corruption and improve the efficiency of the legal system.

Presidential and congressional elections were held on November 11, 1990, and Jorge Serrano Elías was inaugurated as President on January 14, 1991, marking the country's first peaceful and democratic transfer of power since 1951. During the Serrano administration, inflation rates decreased and the economy began to improve. On May 25, 1993, President Serrano dissolved Congress and the Supreme Court and attempted to restrict civil rights, allegedly to fight corruption. This coup, however, failed as a result of strong opposition from all sectors of Guatemalan society, international pressure, and the army's enforcement of the decisions of the Constitutional Court. The Constitutional Court, whose decisions take precedence over the Supreme Court on issues relating to the Constitution, held that the coup was unconstitutional. The failed coup led to the demise of the Serrano administration.

On June 5, 1993, pursuant to the 1985 Constitution, Congress appointed Ramiro de León Carpio, who had been the Human Rights Ombudsman, to complete Serrano's presidential term. President de León launched an ambitious anti-corruption campaign demanding the resignation of all members of Congress and the Supreme Court. Presidential and popular pressure led to a November 1993 agreement between the President and Congress to reform the Constitution. Among the proposed constitutional reforms was a reduction in the legislative and presidential terms of office from five years to four. The ensuing constitutional reforms were approved by popular referendum on January 30, 1994, and President de León served out his appointed term. Under President de León, the Peace Accord negotiations, at that point brokered by the United Nations, proceeded with new vigor. The Government and the URNG signed a number of agreements described under "—The Peace Agreements," but the de León administration failed to implement lasting social and human rights reforms. In August 1994, a new Congress was elected, and the *Frente Republicano Guatemalteco* (the "FRG"), headed by General Ríos Montt, and the *Partido de Avanzada Nacional* (the "PAN"), led by the former mayor of Guatemala City, Álvaro Arzú Irigoyen, emerged as the leading political parties. A Constitutional Court ruling in mid-1995 held that the FRG's presidential candidate General Ríos Montt, who had previously held office from 1982 to 1983, was ineligible to run for president.

Following the de León administration, in January 1996, Álvaro Arzú took office as the new democratically elected president. In December 1996, the Peace Agreements were signed, ending 36 years of armed conflict. The key goals of the Peace Agreements were not only to end the conflict and disarm the parties, but to address the root causes of the war. The international community met with the Government in Brussels in January 1997 to consider its request of financial aid to fulfill the obligations contained in the Peace Agreements. The international community pledged US\$1,900 million in direct aid and loans to support the implementation of these agreements. Further resources were requested by the Government to the international community in two meetings held in September 1997 and in October 1998.

Following the Arzú administration, democratically elected presidents followed: Alfonso Portillo (January 14, 2000-January 14, 2004); Óscar Berger (January 14, 2004-January 14, 2008); Alvaro Colom (January 14, 2008-January 14, 2012); Otto Pérez (January 14, 2012-September 2, 2015); Alejandro Maldonado (September 3, 2015-January 14, 2016); and Jimmy Morales (January 14, 2016-January 14, 2020). President Alejandro Giammattei was inaugurated on January 14, 2020 for a term of four years.

Former President Otto Pérez became embroiled in a corruption scandal involving the former Vice President Roxana Baldetti, and the director of the SAT. As a result, President Pérez, among others, resigned from office. Most of the accused conspirators are in prison awaiting trial. See "Transparency and Corruption—Recent Developments in Corruption Cases—"La Línea" Case." Vice President Roxana Baldetti resigned from office on May 8, 2015, and Congress designated Alejandro Maldonado Aguirre as Vice President by Congress on May 14, 2015. Following the resignation of President Pérez on September 3, 2015, Alejandro Maldonado Aguirre was appointed President by Congress as required by the Constitution to complete the presidential term which concluded on January 14, 2016. Alejandro Maldonado Aguirre was the forty-ninth president of Guatemala. In elections held in 2015, Jimmy Morales won the presidency, and on January 14, 2016, he took office for a four-year term. In the general elections held in 2019, Alejandro Giammattei advanced to runoff elections with 13.0% of valid votes. He won the elections in the runoff obtaining 58.0% of valid votes.

As an economy, Guatemala has maintained macroeconomic stability characterized by sustained GDP growth since the start of the new democratic era in 1986; low inflation, which has been below double digits since the signing of the Peace Agreements in 1996; and low volatility in the exchange rate since 2001. This stability has been complemented with adequate debt management, characterized by low deficits from 2001 until 2019 (average

of 1.9%), though in 2020 the deficit was 4.9% due to the attention of the health emergency of COVID-19, continuous reduction in incurrence of foreign currency-denominated debt and public sector external debt generally since 2001, and a modern debt management operational structure at the Ministry of Public Finance. These factors, have contributed to strengthen the solid track record of debt service of the Republic.

The government has continued to work on improving the economic, social and democratic conditions for the development of Guatemalans.

General government plan 2020-2024

The General Government Policy 2020-2024 proposes five strategic pillars that seek to address social, political, economic and environmental concerns. The Government seeks to achieve the strategic goals established by these pillars by 2023. The list below sets out some of the strategic goals.

1. *Economy, competitiveness and prosperity.* To achieve greater economic growth and significantly increase the sources of sustainable employment by:

- increasing real GDP growth;
- improving Guatemala's ranking in the Global Competitiveness Index;
- improving Guatemala's ranking in the Doing Business ranking; and
- reducing the rate of informal employment.

2. *Social development.* To directly and effectively serve the poorest through targeted and effective social actions by:

- increasing attendance rates at elementary schools;
- increasing attendance at middle schools (*nivel secundario* - grades 7th to 9th)
- increasing the attendance at high schools (*nivel diversificado* - grades 10th to 12th/13th);
- reducing the percentage of illiterate population;
- reducing overall poverty;
- reducing extreme poverty;
- increasing the hospital network through the development of new facilities;
- increase the number of type A and B health centers; and
- reduce the chronic malnutrition rate.

3. *Governance and security in development.* Seeks to improve the country's governance for peaceful and harmonious coexistence, which allows adequate investment conditions:

- reducing the crime rate;
- reducing the homicide rate;
- increasing the number of prison facilities to alleviate over-crowding; and
- increasing the number of National Civil Police (PNC) officers.

4. *Responsible, transparent and effective Government.* Seeks to manage in an effective and transparent way the institutions at the service of citizens:

- establishing the Electronic Government program throughout the 14 government ministries;
- decentralizing public management;
- implementing land use plans in all municipalities; and
- increasing the area covered by forests.

5. Relations with the world with the purpose of guaranteeing the use of international relations so that, in addition to maintaining good diplomatic ties, it improves the order of international trade, tourism, investment and the treatment of our migrants.

- implementing strategies for the attention of migrants in the United States;
- increasing the number of consulates in the United States;
- promoting the country brand; and
- improving the rating of the Tourist Competitiveness Index.

The General Government Policy 2020-2024 transversally includes an environmental component, which seeks to promote the sustainable management of the environment, natural resources, land use and climate change.

Third National Action Plan for Open Government 2016-2018. On November 30, 2018, the Third National Action Plan for Open Government 2016-2018 was officially completed. The plan was composed of five core areas and 22 commitments with identified public institutions responsible for compliance.

The Ministry of Public Finance was in charge of the Fiscal Transparency area, including seven commitments (commitments 16 to 22), and for completing the first four (commitments 16 to 19). The other three commitments were in charge of SAT, the MSPAS and the Ministry of Education (*Ministerio de Educación*). The Ministry of Public Finance was tasked with 20 commitments, 19 of which were achieved in their entirety, leaving the remaining one substantially advanced, representing a level of institutional compliance of 98.7%.

The Third National Plan of Action for Open Government 2016-2018 reached a general level of compliance of 86.92% due to some unfinished goals by the *Universidad de San Carlos*. The fourth plan of open government 2018-2020 includes 12 core areas and 24 commitments, with the advancement of these initiatives at the institutional level being able to be tracked through the *Tablero de Cumplimiento* online platform.

Government Response to the COVID-19 Pandemic

At the end of December 2019, a novel strain of coronavirus (COVID-19) was reported in Wuhan, China. COVID-19 has since spread to more than 175 countries and the World Health Organization declared COVID-19 a global pandemic. In an effort to address the COVID-19 outbreak, the Government focused on a plan divided in three phases: (1) prevention; (2) containment; and (3) mitigation. As part of its containment efforts, pursuant to Government Decree No. 5-2020, the Government declared a state of national public emergency on March 6, 2020, which was later extended to April 12, 2020 through Government Decree No. 7-2020 ratified by Congress on March 24, 2020. This decree limited the freedom to travel (*derecho de locomoción*), prohibited public events and meetings, implemented a daily curfew from 4:00 pm to 4:00 am, limited social contact, and cancelled sports and religious activities. In addition, certain measures restricting operation of public transportation, visits to prisons, access to hospitals for certain elective procedures and contact with the elderly or infirm were implemented. The decree prohibited hoarding of basic goods and medicines and closed air, sea and land borders throughout the national territory. On April 12, 2020, additional measures were put in place including a mask mandate with fines imposed for non-compliance, new limitations on alcohol consumption in public spaces, and limitations on the freedom to travel for the elderly, cancer patients and pregnant women.

In order to continue implementation of public health measures, during the months of April, May, June, June, July and August 2020, the Executive Branch decreed extensions to maintain the State of Public Emergency in force (Governmental Decree Nos. 8, 9, 12, 15 and 17, respectively) which were ratified by the Congress of the Republic of Guatemala (Decree Nos. 21, 22, 27, 28 and 29, respectively). During this period, various presidential provisions remained in force, such as public and occupational health recommendations, mask mandates, social distancing requirements, restrictions on free movement, night curfews, and the creation of a COVID-19 alert board to address the behavior of the disease locally, as well as the modification of working hours for the State's institutions.

Pursuant to the last extension of the State of Public Emergency and Presidential Provisions on September 11, 2020, it was announced that air, land and maritime borders would be opened as of September 18, 2020 under established protocols. In addition, by means of a presidential announcement, it was announced that the State of Public Emergency would effectively cease on October 5, 2020.

The COVID-19 Emergency Care Plan was formulated as an instrument of institutional organization and management of economic resources for the social and economic protection of the population. As a result, several decrees were issued for the creation of programs and provision of funds to implement this plan. The plan defines actions to reduce the impact of the pandemic on the health, economy, social, environmental and security sectors.

Additionally, as a mitigation, containment and control measure, an epidemiological information board was created, which allows a rapid assessment of the state of the country at the municipal level, as well as the daily evaluation of the number of confirmed, screened and deceased cases by sex and age groups. As of September 21, 2021, there were 34,473 estimated active cases; 537,987 cumulative cases recorded; 13,185 deaths recorded; a mortality rate (deaths per 100,000 inhabitants) of 75.1 and a lethality of 2.4% in the country.

Likewise, a Health Alert System was created for the monitoring of the epidemic caused by COVID-19. This system calculates health alerts based on the level of risk to the population through the use of three indicators that are evaluated and updated every 14 days. The score obtained by each municipality determines the alert color of said municipality for the following 14 days, which in turn dictates the measures that each social and economic sector must follow to contain the pandemic, in particular, the capacity of individuals allowed in public and private places. From September 3, 2021 to September 16, 2021, 300 municipalities were under red alerts, 31 were under orange alerts and nine were under yellow alerts.

In addition to the above, respiratory care centers and temporary isolation centers have been created, and contact tracing programs strengthened. By the end of 2020, twelve respiratory care centers had been installed in the departments of Totonicapán, Huehuetenango, Quiché, Sololá, Jutiapa, Baja Verapaz, Quetzaltenango and San Marcos.

As part of interagency support efforts for the benefit of the population, the Army Corps of Engineers built four properly equipped hospitals to care for COVID-19-positive patients located in different parts of the country: Parque de la Industria in Guatemala City, Quetzaltenango, Zacapa and Petén.

Several social and economic programs were derived from the COVID-19 Emergency Care Plan, which have a legal basis in Decree Nos. 12-2020, 13-2020, 20-2020 and 25-2020. The Ministry of Public Finance, together with the SEGEPLAN, designed a monitoring board for social programs, which is available for online consultation.

Below is a description of the budget execution for the social and economic programs derived from the COVID-19 Emergency Care Plan in 2020 (this information can be located on the website of the Ministry of Public Finance).

By means of Decree No. 12-2020, Emergency Law to Protect Guatemalans from the Effects of the COVID-19 Pandemic, the 2020 budget was expanded by Q3,667.5 million, to be funded by external loans. Of this amount, Q2,239.13 million was directed to several programs that achieved a total implementation of 82%, including:

- Fund for Micro, Small and Medium Enterprises (Q400.0 million). This program was used to strengthen the entrepreneurship of small and medium-sized entrepreneurs, and it reached 100% implementation.
- Capital Protection Fund administered by the National Mortgage Credit (CHN) (Q250.0 million). This program was intended to grant credit to individual merchants, professionals, businesses and credit unions, and it reached 100% implementation.
- Senior Citizen Program (Q50.0 million). This program was used to expand the coverage of an existing program, and it reached 46% implementation.
- Remodeling and Infrastructure Program of Hospitals and Health Centers (Q800.0 million). This program was used for infrastructure and equipment, and it reached 84% implementation.
- Food Endowment Program (Q700.0 million). This program was used to provide support to families in situations of high vulnerability, including older adults, and consisted of redeemable vouchers and in-kind deliveries. This program was implemented through the World Food Programme (WFP), and it reached 100% implementation.

Decree No. 13-2020, Law for Economic Rescue of Families from the Effects Caused by COVID-19, also expanded the 2020 budget by Q11,000.0 million, to be funded from the issuance of treasury bonds that were acquired by the Bank of Guatemala, in accordance with Article 133 of the Constitution of the Republic of

Guatemala. The programs served by this expansion of the budget achieved, as a whole, a level of implementation of 96%, including:

- Family Bonus (Q6,000.0 million). This program consisted of economic support of up to Q1,000.0 to the population most economically affected by the emergency measures stemming from the COVID-19 pandemic. It was delivered to households with electricity consumption of less than 200 kWh/month, and priority was given to people in poverty, single mothers or single-parent households, the elderly, people with disabilities, people with chronic or degenerative diseases and families with children in a state of malnutrition, and it reached 100% implementation.
- Employment Protection Fund (Q1,850.0 million). This program was used to support workers whose contracts were subject to suspension, duly authorized by the Ministry of Labor and Social Welfare (*Ministerio de Trabajo y Previsión Social*), through a benefit of Q75.00 per day per worker, and it reached 100% implementation. It should be noted that only Q150.0 million was transferred from the Employment Protection Fund (Decree No. 13-2020) to the State Pensioners and Retired Persons Allowance Law, according to Decree No. 25-2020.
- Working Capital Credit Fund, transferred to *Crédito Hipotecario Nacional* (Q2,730.0 million). This program was intended to finance working capital with soft conditions to maintain productive capacity and continuity of operations for individual or social traders, and it reached 84% implementation.
- Electricity Subsidy (Q270.0 million). This program consisted on a contribution to the National Institute of Electrification (INDE) for consumers of electrical energy up to 300 kw / month, and it reached 100% implementation.

Decree No. 20-2020 expanded the 2020 budget by Q5,138.9 million, to be funded mainly from the issuance of treasury bonds (94.2%), with the remainder to be funded by external loans (5.8%). Q1,360.0 million of this expansion was directed to several programs with a total implementation of 83%, including:

- Acquisition of ventilators, COVID-19 tests and personal protective equipment, suits and materials (Q370.0 million). This program reached 74% implementation.
- Projects for economic activation (Q600.0 million). This program was intended to make possible new works to reactivate the economy, and it reached 82% implementation.
- Electricity subsidy (Q360.0 million), which was fully distributed to disadvantaged families by means of the mechanisms set forth in the Decree No. 96-2000 approving the Law for Tariffs on the Distribution of Electricity (*Ley de Tarifa Social para el Suministro de Energía Eléctrica*).

The budget for Decree No. 25-2020, the State Pensioners and Retired Allowance Law, was Q150.0 million, and provided payments to support state pensioners and retired persons in the face of the economic crisis resulting from the COVID-19 pandemic. The level of implementation of this program was 100%.

During 2021, the Government launched a vaccination process in order to prevent the spread of the COVID-19 and foster the reactivation of the country's economy. The Congress of the Republic issued Decree No. 1-2021, Law for the Financing and Acquisition of Vaccines Against the Coronavirus, which declares the vaccination of the Guatemalan population against COVID-19 to be of national interest, for which the Ministry of Public Finance was authorized to readjust the 2021 budget up to Q1,500.0 million in order to increase the budget of the MSPAS to acquire vaccines. The MSPAS was commissioned to prepare the National Vaccination Plan.

The MSPAS established the National Coordination Committee for Vaccination against COVID-19 (CNVCOVID) through Ministerial Agreement No. 262-2020, with the purpose of developing and implementing the national strategic plan for vaccination against COVID-19.

The National Vaccination Plan aims to plan, program, coordinate and ensure the financing, acquisition, provision and use of vaccines against COVID-19 to reduce the morbidity and mortality generated by COVID-19, within the vaccination strategy four phases were defined according to the following objectives: (1) maintain the integration of the health system, (2) decrease mortality and severe disease burden, (3) reduce the socio-economic impact and protect the continuity of basic services, and (4) decrease the transmission of the COVID-19 virus in the general population.

In the first phase, priority is given to workers in health facilities, relief corps, funeral home workers, staff working in institutions for the elderly and people hospitalized in homes or institutions for the elderly, among others.

In the second phase, the priority groups are adults over 70 years of age and older, adults aged 60 to 69 years, adults aged 50 to 59 years, adults aged 18 years or older with conditions of arterial hypertension, diabetes mellitus, among other conditions. Priority is also given to workers in the education sector.

In the third phase, priority is given to workers in the national security sector, workers registered in municipalities and entities that provide essential services such as electricity, water, garbage collection, customs and migration, authorities and other public servants of the Ministry of Education and workers from the country's universities, and workers in the justice sector.

In the fourth phase, priority is given to adults aged 40 to 49 and adults aged 18 to 39.

The first COVID-19 vaccines were administered in Guatemala in February 25, 2021; however, according to *Our World in Data*, as of September 21, 2021, the percentage of the Guatemalan population that had received at least one dose of a COVID-19 vaccine was the second lowest in Central America (23.10%). This is a result of a lack of sufficient vaccines in Guatemala, which, in turn, is due to the demand for vaccines that exists worldwide and because agreements that would have resulted in increased vaccine supply in the country were not reached. Given a lack of legal certainty surrounding the formalization of negotiations for the acquisition (by purchase or donations) of more COVID-19 vaccines, the Congress of the Republic approved Decree No. 8-2021, the Law of Exemption from Liability and Creation of the Compensation Mechanism for the Use of Vaccines against COVID-19 that have authorization for emergency use due to the COVID-19 pandemic (*Ley de Exención de Responsabilidad y de Creación del Mecanismo de Compensación por el Uso de Vacunas contra la COVID-19 que Posean Autorización de Uso de Emergencia por la Pandemia del virus SARS-Cov-2*), which aims to exempt vaccine providers from liability, and create a compensation mechanism for any person suffering from severe adverse effects related to the COVID-19 vaccine.

According to information available as of September 21, 2021, 4,215,713 people had been vaccinated with the first dose and 2,120,285 people had received both doses.

Government and Political Parties

Guatemala restored its democracy on January 14, 1986. A new Constitution was drafted in 1985 by the National Constituent Assembly. Under the new Constitution, Guatemala is a democratic country where elections are regulated by the Electoral Supreme Court, an autonomous and independent entity that regulates the electoral process. The Government is comprised of the Executive, Legislative and Judicial branches. The Constitution also introduced the figure of the Ombudsman (*Procurador de los Derechos Humanos*), the first in Latin America, to oversee the respect of human rights, especially by public institutions.

Guatemala is divided into 22 Departments or Administrative Subdivisions, which are administered by Governors appointed by the President. At the end of 2019, these Departments were subdivided into 340 Municipalities, each governed by elected Mayor and Council Members in general elections.

Executive Branch

The executive branch, led by the President, appoints the Minister and Vice Ministers of the Cabinet. The President is the chief executive of the Guatemalan State and is elected in direct universal national elections by secret ballot. The President can propose legislation to Congress. The President can also veto legislation, and Congress can override a veto by a vote of two-thirds of all members of Congress. Members of Congress can also submit bills to Congress for consideration and approval. Congress has oversight powers over the executive branch.

Legislative Branch

Congress is the legislative branch and is a unicameral body of 160 deputies elected through universal vote in national elections by secret ballot. 128 members are elected from geographical districts and 32 are elected by the national list system and constitute 20% of the total number of district deputies. Members of Congress serve for a term of four years and re-election is permitted. Congressional sessions run each year from January 14 through May 15 and from August 1 through November 30. Either the permanent commission of Congress, which is composed of members of Congress and established to manage administrative matters when Congress is not in session, or the executive branch can call extraordinary sessions of Congress. Members of Congress can propose bills to Congress, and acts of Congress are passed by an affirmative vote of an absolute majority of members, except in

certain specified cases. Congress also decides, by two-thirds majority vote, whether to bring charges against cabinet level officials. Cabinet level officials in Guatemala require a previous hearing before Congress or the Supreme Court in order to be able to be prosecuted before a criminal court.

Congress has the exclusive power to levy taxes. In order for any government entity to borrow money, it must follow certain legal procedures and receive prior approval from Congress.

Judicial Branch

The Judicial System is administered by the Supreme Court. Justice is applied in accordance with the Constitution and the laws of the Republic. The Courts of Justice have the power to enter and enforce judgments. The Supreme Court is composed of 13 justices, all appointed by Congress from a list of 26 candidates submitted by a commission made up of representatives of the General Assembly of the Guatemalan Bar Association, law school deans, the rector of the national university, the *Universidad de San Carlos*, and judges on the Court of Appeals.

The Constitutional Court

The Constitutional Court is a permanent court with the role of defending the Constitutional order and is the highest court with respect to constitutional matters. The Constitutional Court is comprised of five principal justices, each one with an alternate justice, who serve a five-year term. Each one of the following institutions appoints one principal justice: the Supreme Court of Justice, Congress, the Executive Branch through the Ministry Council, the Superior Council of the *Universidad de San Carlos*, and the General Assembly of the Guatemalan Bar Association.

General Elections

General elections are held every four years, electing the President and Vice President and members of Congress, as well as the Mayor and Council Members for all Municipalities. All positions are held for a four-year term. The President cannot stand for re-election, and any candidate for president who previously participated in a coup is not eligible to run for the presidency.

The last general election was held on June 16, 2019. In the first round of the presidential contest, the two candidates to obtain the largest number of votes were Sandra Julieta Torres Casanova of UNE, and Alejandro Eduardo Giammattei Falla of VAMOS, with 22.0% and 13.0%, respectively. In the runoff election held on August 11, 2019, Alejandro Giammattei was elected President, receiving 1,907,801 (58.0%) of 3,291,913 valid votes cast.

As of December 31, 2020, the main parties in Congress were UNE with 52 members and VAMOS with 17 members, out of 160 total seats. As no political party has a majority of the congressional seats, there is a potential for gridlock in Congress which, in turn, may create further political uncertainty.

The following table shows the composition of Congress by political party or affiliation as of December 31, 2020:

	Congressional Seats	%
<i>Unidad Nacional de la Esperanza – UNE</i>	52	32.5
<i>Vamos por una Guatemala Diferente – VAMOS</i>	17	10.6
<i>Unión del Cambio Nacional – UCN</i>	12	7.5
<i>Valor – VALOR</i>	9	5.6
<i>Frente de Convergencia Nacional (FCN Nación)</i>	8	5.0
<i>Bienestar Nacional – BIEN</i>	8	5.0
<i>Movimiento Semilla – SEMILLA</i>	7	4.4
<i>Partido Político Visión con Valores – VIVA</i>	7	4.4
<i>TODOS</i>	7	4.4
<i>Partido Humanista de Guatemala – PHG</i>	6	3.8
<i>Compromiso, Renovación y Orden – CREO</i>	6	3.8
<i>WINAQ</i>	4	2.5
Others.....	17	8.0
Total.....	<u>160</u>	<u>100</u>

Source: Guatemalan Congress.

The Political Parties and Electoral Law was amended as a result of anti-corruption pressure created by the passage of Decree No. 26-2016, which was approved by Congress on April 19, 2016 and entered into force on June 1, 2016. The amendments included, among other things, the mandatory delivery of reports on financial contributions, restrictions on political propaganda and media, audit and financing. In September 2017, a second round of amendments modified the general procedural rules for the electoral process.

Legal Proceedings Relating to the 2019 Elections

Mario Estrada Case

Mario Estrada is a former congressional representative between 2000 and 2007. He participated in Guatemala's General Elections in 2007, 2011 and 2015 as a Presidential candidate. In the 2019 elections he was the presidential candidate of the *Unidad del Cambio Nacional* political party (the "UCN"). On April 25, 2019, the Electoral Supreme Court ruled that Mr. Estrada did not comply with the constitutional requirements of suitability and honesty to be a Presidential candidate and ordered that the registration of his candidacy be revoked. The decision of the Electoral Supreme Court was the result of Mr. Estrada's indictment and arrest in the United States by the U.S. Drug Enforcement Agency on charges of having links with drug cartels, requesting financial aid from the Sinaloa Cartel for his presidential campaign and planning the assassination of two other presidential candidates.

According to the statement released by the U.S. Attorney's Office for the Southern District of New York, Mr. Estrada tried to obtain political financing from drug cartels. Juan Pablo González Mayorga, a member of the board of UCN, was also indicted and arrested on the same allegations. Both Mr. Estrada and Mr. González Mayorga have been charged in 2019 with two felonies: conspiring to import cocaine into the United States and conspiring to use and transport machine guns and destructive devices and the possession of machine guns and destructive devices in the conspiring to import cocaine. On February 11, 2020, Mr. Estrada was sentenced to 15 years in prison by the United States District Court for the Southern District of New York. Juan Pablo González Mayorga received a sentence of two years in prison.

Thelma Aldana Case

Thelma Esperanza Aldana Hernández announced her candidacy for the presidency of Guatemala on March 10, 2019, running as the candidate of the political party *Movimiento Semilla*. Ms. Aldana was a judge of the Supreme Court of Justice of Guatemala (2009-2014), and elected President of the Supreme Court of Justice (2011-2012). She was elected by the Presidential Nomination Commission and appointed by President Otto Pérez Molina as Head of the Public Prosecutor's Office from May 2014 to May 2018. Ms. Aldana successfully prosecuted and imprisoned former President Otto Pérez Molina and former Vice President Roxana Baldetti, among other officials. Her candidacy was rejected by the Electoral Supreme Court, since criminal charges were filed against her. Guatemala's electoral laws require, in order to have their candidacy registered, that candidates that have held public office to provide a document stating that there are no charges against them for crimes committed during their time in office. Although Ms. Aldana did present this document, since charges had been brought against her, the Electoral Supreme Court ruled that the document she presented was invalid since charges had been brought against her (see below).

On March 18, 2019, an arrest warrant was issued for Ms. Aldana by Judge Victor Cruz relating to her hiring of lawyer Gustavo Bonilla, who allegedly failed to comply with his responsibilities as consultant of the Public Prosecutor's Office. She was charged with embezzlement, misappropriation in a continuous manner, fraud and tax fraud. However, Ms. Aldana was not arrested and is not in custody, because on the same day that the warrant was issued she traveled to El Salvador. The Supreme Court's electoral department in charge of the registration of candidates approved Ms. Aldana's registration as a candidate on March 19, 2019. However, following three challenges to her registration by *TODOS*, *Fundación Contra el Terrorismo* and *Guatemala Inmortal*, her registration was revoked.

The *Movimiento Semilla* political party appealed the denial of registration on April 15, 2019 before the Supreme Court of Justice, and on April 24, 2019, the Supreme Court transferred the appeal to the Constitutional Court. The Constitutional Court denied the appeal and did not grant the provisional injunction sought by Ms. Aldana. On February 24, 2020, the United States granted Ms. Aldana political asylum, where she has been living since 2019.

The Peace Agreements

Following the objectives of *Esquipulas II*, a Central American summit held on August 7, 1987 where the heads of state participated in peace negotiations, and pursuant to the Oslo Agreements on March 30, 1990, the Government of Guatemala and the URNG, under the auspices of the National Committee of Reconciliation and under the observation of the United Nations, the first Framework Agreement on Democratization in the Search for Peace by Political Means (Queretaro Agreement) was signed on July 25, 1991.

The goals of the accords were to end the armed conflict, disarm the parties, and address the root causes of the war. These accords included agreements in the following matters: (i) public policies on human rights (March 29, 1994), (ii) relocation of populations displaced by the armed conflict (June 17, 1994), (iii) the creation of committees for truth and reconciliation to document human rights violations (June 23, 1994), (iv) identity and rights of the indigenous population (March 31, 1995), (v) socioeconomic aspects and agrarian situation (May 6, 1996), (vi) strengthening of civil authority and the role of the army in a democratic society (September 19, 1996), (vii) permanent cease fire (December 4, 1996), (viii) constitutional reforms and electoral regime (December 7, 1996), (ix) incorporation of the URNG to legality, and (x) the implementation, fulfillment and verification of the Peace Agreements (December 29, 1996).

The signing of the peace agreement on December 29, 1996 between the Republic of Guatemala and the URNG marked the official end of the civil war. This historic moment ended 36 years of conflict in which more than 200,000 Guatemalans died, most of them civilian and Mayan indigenous villagers. The Peace Agreements constitute a comprehensive agenda to overcome the causes of the conflict and establish the basis for development.

The Secretariat for Peace (*Secretaría de la Paz*), a cabinet-level position, assesses, coordinates with civil society and supports compliance with the terms of the Peace Agreements. The Peace Agreement Framework Law (*Ley Marco de los Acuerdos de Paz*) approved by Decree No. 52-2005, has the objective of establishing rules and mechanisms for the fulfillment of the Peace Agreement. This law also established the National Council for the Fulfillment of the Peace Agreements (*Consejo Nacional para el Cumplimiento de los Acuerdos de Paz*) comprised of members of the government, leaders of political parties and representatives of civil society. This council replaced the National Commission for the Peace Accords (*Comisión Nacional para los Acuerdos de Paz*), and is an autonomous and independent institution with the mission to promote legal reforms, policies, programs, projects and actions that promote the compliance with the agreements.

The United Nations Verification Mission in Guatemala (“MINUGUA”) accompanied the process of implementation of the agreements, verifying compliance with human rights and helping the country implement the peace agreements. This mission provided specialists not only in human rights, but also in indigenous affairs, macroeconomics, fiscal policy, labor issues, land rights and agrarian policies, military and public security reform, and gender issues, among others. During its final period, the Mission trained professionals as verifiers and promoters of the peace agreements. In addition, the Mission issued a report on the peace implementation to be used by newly-elected authorities, civil society and international cooperation agencies, as part of a transition strategy to build national capacity to promote the agenda set forth in the peace agreements after the dissolution of MINUGUA, when the United Nations classified the peace process as successful.

Following the MINUGUA mission, the government implemented a transition strategy with the support of the Presidential Commission of Human Rights (*Comisión Presidencial de Derechos Humanos*, or the “COPREDEH”) to verify implementation of human rights agreements. The Human Rights Attorney’s Office (*Procuraduría de Derechos Humanos*, or the “PDH”), the first office of its kind implemented in Latin America in 1987, has also played an important role in the peace process by promoting and defending respect for human rights through outreach, enforcement, mediation, education and supervision.

The Peace Agreements have required commitment of considerable resources and setting aside social expenditure to support compliance with the principal goals of the agreements. To improve accountability, control and protection of financial resources committed to ensure compliance with the agreements, since 2010 the Ministry of Public Finance has put in place accounting methodologies to monitor and classify the expenses incurred in connection with compliance with the terms of the Peace Agreements. The financial resources that support the agreements have been a priority for the Republic on fiscal budget proposals since the agreements were ratified.

The CICIG Agreement

On December 12, 2006, the United Nations and the Government of Guatemala signed the agreement to establish the CICIG, which was ratified by Congress on August 1, 2007. This institution was established as an independent international body designed to support the Public Prosecutor's Office, the PNC and other government institutions, in the investigation of crimes committed by members of illegal security forces and clandestine vigilante groups and to help dismantle such groups. On March 24, 2009, Guatemala's Minister of Foreign Affairs requested that the United Nations extend the CICIG's mandate for an additional two years, which was granted on April 15, 2009. Three further extensions of the CICIG were requested by the Government. In May 2016, the Secretary General of the United Nations, Ban Ki-Moon, approved the Government's last extension request to further extend the term of the Commission by an additional two years through September 3, 2019.

Since 2015, the CICIG was involved in the investigations of certain high-profile public corruption cases, such as those of former President Otto Pérez Molina and former Vice President Roxana Baldetti and the "*La Línea*" case. On August 30, 2018, the Government announced its decision not to renew the term of the CICIG when it expired on September 3, 2019. In January 2019, the Government issued a decree that purported to unilaterally terminate the agreement that established the CICIG with immediate effect. The Constitutional Court provisionally suspended this decree in response to a constitutional challenge. As of the date of this offering memorandum, the CICIG agreement was not renewed, and its mandate effectively ended on September 3, 2019.

Notwithstanding the foregoing, the CICIG agreement contemplated as one of its functions the strengthening of the Public Prosecutor's Office, and the transferring of capacities from the CICIG to the Public Prosecutor's Office. According to the Government, the Public Prosecutor's Office, which has closely worked with the CICIG in high profile cases in recent years, strengthened with the support of the CICIG. The transfer of capacities from the CICIG was carried out through the Special Office of the FECL. The Government expects that efforts against corruption will continue under the new administration that took office on January 14, 2020. International reaction to the decision not to renew the term of the CICIG has been mixed, with some positive reactions and also certain criticism.

National Development Plan 2032

The National Plan for Development was formulated by resolution of the National Council for Urban and Rural Development ("CONADUR"), and was ratified on August 12, 2014. Its main purpose is to fight poverty, inequality and social exclusion and to foster the conditions designed to break down the social barriers to promoting such progress. CONADUR incorporates diverse principles including actions to reduce these social problems and giving priority to people and territories.

- The first point of the plan, called Urban and Rural Guatemala, is based on the interdependence of rural and urban systems as a mechanism to reduce inequality and imbalances among the territories.
- Public Welfare is at the heart of the plan since improving the population's living conditions is its fundamental purpose. Emphasis is made on the need to guarantee to citizens universal access to social services, as it is focused on providing social assistance to vulnerable segments of the population, developing sound social policy and developing social welfare.
- The plan also focuses on properly developing natural resources for today and for the future. The plan recognizes that decisions relating to the management of natural resources should be made respecting cultural history, seeking to form national consensus to emphasize the importance of natural resources development based on sustainability principles.

Finally, the transformation of the state is essential for the development and implementation of the CONADUR plan, recognizing the role of the state as guardian of human rights and social development. As such, the plan adheres to a view that the human rights approach is an integral part of public policy and at the core of ensuring the enjoyment of individual freedoms and economic, social and cultural rights. It is organized on three priorities: strengthening the Government's ability to address development challenges; democratic governance, security, justice and equity; and the importance of respecting Mayan peoples and culture.

Environmental Policy

Protection and improvement of the environment gained importance with the signing of the Agreement on Socioeconomic Issues and the Agrarian Situation in May 1996, which emphasizes the protection of natural

resources, maintaining the quality of the environment and reducing pollution, the promotion of a culture that aims to use natural resources in a sustainable way; and increased legal protection of the environment. To strengthen the regulation of the environment, in January 2001, the Ministry of Environment and Natural Resources (*Ministerio de Ambiente y Recursos Naturales*, or the “MARN”) was created by Decree Nos. 90-2000 and 91-2000, to promote environmental protection and the rational use of natural resources to support sustainable development. The Constitution, the Law of Protection and Environmental Improvement (Decree No. 68-96), the Climate Change Policy (Governmental Agreement 329-2009), the Law of Environmental Education (Decree No. 38-2010), the Law of Climate Change (Decree No. 07-2013), among other regulations, contribute to strengthening the regulatory roll of the MARN.

Due to increased deforestation in recent decades, carbon dioxide emissions are increasing more rapidly than its absorption. Since Guatemala is a net contributor to carbon dioxide emissions, the Government confronts the challenge of promoting projects that reduce carbon dioxide emissions, while attempting to engender economic development. In addition, through the National Institute of Forest Management (*Instituto Nacional de Administración de Bosques*, or the “INAB”), the Government is promoting the protection and recovery of forest areas through the Forestry Incentive Program (*Programa de Incentivos Forestales*, or “PINFOR”) and the Incentives Program for Small Landowners with Forest or Agroforestry Vocations (*Programa de Incentivos para Pequeños Poseedores de Tierras de Vocación Forestal o Agroforestal*, or “PINPEP”), encouraging a total of 20,108 natural forest management projects for protection and production purposes. Together, these projects represent 26,751 hectares of new forests under sustainable management. During 2016, with a state investment of Q225.5 million, the PINFOR and PINPEP projects were implemented in 22 departments throughout the country, providing direct and indirect socio-economic benefits for more than 246,768 people (45% of whom are women). These programs directly generated 2.7 million working hours in rural areas from their inception.

During 2018, the PROBOSQUE program invested Q134.1 million in 4,695 new and maintenance projects, generating 1.6 million work days (*jornales*). In the same year, the PINPEP program invested Q263.8 million in 29,922 projects, generating 3.2 million work days (*jornales*).

In 2019, forestry incentives were established for 224,313 hectares, which represent 106,688 hectares from PINPEP and 117,625 hectares from PROBOSQUE, these programs were of direct benefit for 82,361 people from rural areas, creating an approximate of 489,223 labor days in 2019.

In 2020, the strategic action related to the conservation of natural forests with forest incentives implemented actions such as the protection, production and maintenance of 147,364 hectares of natural forests. The interventions represent an outlay of Q263.9 million invested in the PINPEP program and Q227.2 million in the PROBOSQUE program.

Transparency

According to Transparency International, Guatemala ranked 149th out of 180 countries in 2020, with a corruption perception index score of 25 points. The corruption perception index ranks countries based on how corrupt the public sector is perceived to be by the population. The Index reflects the view of observers around the world, including experts living and working in the countries surveyed. The government is aware that corruption is an important issue that adversely affects Guatemala and is aiming to strengthen the legal framework in order to have a more effective system and to reduce corruption.

The government approved Law Initiative 4461 on July 25, 2013, which is designed to strengthen the institutional transparency and quality of public expenditures (Decree No. 13-2013), and includes reforms to the Organic Budget Law (Decree No. 101-97), Law of the General Comptroller of Accounts (Decree No. 31-2002), and the Organic Law of the SAT (Decree No. 1-98).

National Security

After the Peace Agreements were signed in December 2016, new threats emerged raising additional security concerns. International drug trafficking and development of organized and related petty crime were among the most significant issues. To address these problems, the Government put in place certain measures for the reorientation of the army’s functions via the professionalization and democratization of its members. Additionally, this plan contains certain measures to improve the professionalization, structure and technology of the PNC, as well as to increase the number of police officers, under the responsibility of the Ministry of Governance. Moreover, other actions were taken to strengthen the justice system as described under “Transparency and Corruption.”

These security issues continue to be of concern. The Government’s plan to combat them includes:

- Continue with the refinement, modernization and professionalization of the Public Safety Forces.
- Strengthen weapons, explosives and ammunition control.
- Increase police force and assign their presence in higher risk areas through interaction programs with local powers, including local authorities and non-governmental organizations.
- Development of programs to prevent crime with emphasizes in combatting violence against women.
- Strengthen coordination between State security forces and the Judicial System.
- Modernize national security policy, taking into consideration context and priorities.
- Return to the guidelines in the Peace Agreements with respect to the role of the army in peacetime.
- Refine and reform the prison system towards a focus on rehabilitation.

The Police Academy, inaugurated in 1998, has contributed to improving professionalism of officers and increased the number of police officers from approximately 37,250 in 2016 to approximately 40,794 in 2020, representing a compound average annual increase of 2.4%. According to statistics of the Ministry of Governance, there has been a significant reduction in crime rates, especially in homicide and property crimes. Between 2016 and 2020, the homicide rate decreased by 13.3 per 100,000 inhabitants, from 28.6 per 100,000 inhabitants to approximately 15.3 per 100,000 inhabitants by the end of 2020. However, Guatemala has the third highest homicide rate in Central America after Honduras and El Salvador. For property crimes, the rate has been reduced from 90.5 per 100,000 inhabitants in 2016 to 43.2 per 100,000 inhabitants in 2020, a decrease of 47.3 per 100,000 inhabitants.

Tourism

Guatemala is the heart of the Mayan World, a millenary culture. The magic and mystery of the Mayan temples can still be appreciated in ancient cities such as Tikal, Yaxhá, Aguateca, Mirador, Quiriguá and Qúma’rkaj. Based on the 2018 census, approximately 41.7% of the population are Mayan descendants, and they speak 22 languages, which allows tourists to appreciate not only historical sites, but to see the living Mayan culture. The cultural and historical Mayan heritage combined with the diversity of landscapes, good climate, beneficial geographical location, and diversity of tourism activities (cultural, environmental, rural, sports and adventure, health and welfare), position the country as an ideal destination for tourists.

The Government views tourism as a priority for social and economic development in Guatemala. The following table presents the number of foreign tourists for the periods presented.

Number of International Tourists Arrivals

	For the year ended December 31,				
	2016	2017	2018	2019	2020 ⁽¹⁾
Tourist arrivals	1,906,192	2,113,270	2,405,902	2,559,599	593,990

(1) Preliminary data.

Source: INGUAT.

The main international airport is the Aurora Airport (*Aeropuerto La Aurora*) in Guatemala City. This airport was refurbished and expanded to meet increasing demand for air cargo and passengers. The INGUAT has been working to increase the frequency of flights from abroad and between Guatemala City and Flores, and to increase the number of airlines with routes in the country.

Foreign Affairs and Memberships in International Organizations

Guatemala maintains diplomatic relations with approximately 158 countries, including Belize. Although a territorial dispute with Belize before the International Court of Justice remains unresolved, both countries have good diplomatic relations. Guatemala is also a member of several International Organizations: the World Trade Organization (the “WTO”), the United Nations and some of its specialized agencies, the Organization of American States (OAS), the Central American Integration System (SICA), the Association of Caribbean States (ACS), the

International Monetary Fund (IMF), the Inter-American Development Bank (the “IADB”), the World Bank, the Central American Bank for Economic Integration (CABEI), among others.

As a founding member of the United Nations in 1945, Guatemala has contributed to the work of the organization, including its participation in United Nations peacekeeping operations. Guatemala has held many positions within the organization, including the presidency of the General Assembly (1968), the presidency of the Executive Board of UNDP/UNFPA/UNOPS (2001), the presidency of ECOSOC (2003) and the presidency of the Commission on Sustainable Development (2010). Guatemala had the honor of having being elected a member of the United Nations Security Council (UNSC) for the period 2012-2013, filling the seat allocated to the Latin American and Caribbean group, of which Guatemala also held the Presidency in October 2012.

Likewise, the country has been part of important political spaces such as the Presidency of the Executive Board of the United Nations Development Program (UNDP), United Nations Population Fund (UNFPA), United Nations Office for Project Services (UNOPS) (in 2001 and 2015); Vice-presidency of the United Nations Children’s Fund (UNICEF) (in 2008 and 2019); and Vice Presidency of the World Food Programme (WFP) (in 2016).

Currently, Guatemala holds important memberships in multilateral organizations, namely:

No.	Office	Tenure
1	Presidency of the Executive Board of the World Food Programme (WFP)	2021-2022
2	Member of the Commission on Crime Prevention and Criminal Justice (CCPCJ, by its acronym in English)	2019-2021
3	Member of the Executive Council of the Organization for the Prohibition of Chemical Weapons (OPCW)	2020-2022
4	Member of the Intergovernmental Committee of the 1972 Convention concerning the Protection of the World’s Cultural and Natural Heritage of UNESCO	2017-2021
5	Member of the Social Development Commission (CSocD, by its acronym in English)	2019-2023
6	Mr. Edgar Stuardo Ralón Orellana, as member of the Inter-American Commission on Human Rights (IACHR)	2022-2023
7	Ambassador Pablo César García Saénz, Member of the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW, by its acronym in English)	2020-2023
8	Member of the Executive Committee of the World Tourism Organization (WTO)	2020-2023
9	Ms. Ingrid Anabella Jacobs, Director of Cooperation and Resource Mobilization of the Association of Caribbean States (ACS)	2019-2022
10	Ambassador José Francisco Calí, United Nations Human Rights Council Special Rapporteur on the Rights of Indigenous Peoples	2020-2023

Guatemala is also a member of the World Trade Organization (WTO) and, as a country, has a strong commitment to the free flow of capital and international trade and has encouraged the full compliance with all trade agreements as a mean for achieving its development goals. Guatemala ratified the Association Agreement between the European Union and Central America (AdA), in effect since December 1, 2013 (Decree No. 2-2013). This agreement includes 28 developed economies (25 out of 34 OECD countries). Guatemala hopes that agreements such as the aforementioned will increase trade in goods and services with the European Union, which is the third largest export market after North America and Central America.

During 2019, negotiations were held for the Association Agreement between Central America and the United Kingdom, which was signed on July 18, 2019 in Managua, Nicaragua. The agreement, which replaces the AdA, guarantees the continuity of trade between the region and the United Kingdom, which amounts to more than US\$1 billion. The agreement maintains tariff preferences for 100 Guatemalan products with all legal guarantees. It

also provides a platform for further liberalization of trade between the parties. It entered into force on January 1, 2021, when the United Kingdom ended the transition period to exit the European Union.

In addition to these AdAs and a Treaty for Central American Economic Integration (June 15, 1961), Guatemala has several strategic trade agreements in effect: The U.S.-Dominican Republic-Central America Free Trade Agreement (July 1, 2006) (DR-CAFTA); Central America and Dominican Republic Free Trade Agreement (October 15, 2001); Central America-Panama Free Trade Agreement (June 20, 2009); Guatemala-China Free Trade Agreement (Taiwan, July 1, 2006); Colombia-Guatemala-El Salvador-Honduras Free Trade Agreement (November 12, 2009); Chile-Central America Free Trade Agreement (March 23, 2010); and the Mexico-Central America Free Trade Agreement (September 1, 2013). These strategic agreements, many of which are regional (signed jointly among Central American countries with third countries) help Guatemala to integrate itself into the global economy and improve its competitiveness and development. These agreements also strengthen the commitment of Guatemala to open further its economy into the global market, to increase diversification of its export market and to reduce the cost of imports.

Relations with Belize

Guatemala has a long-standing territorial, insular and maritime claim against Belize. In 1991, Guatemala recognized the independence of Belize and established diplomatic relations, but reaffirmed its territorial dispute, which yet has to be resolved.

The territorial dispute between Guatemala and Belize is a priority in the bilateral agenda of both countries. However, the issue has never led to military action and has not been an obstacle to having a constructive bilateral relationship, due to the responsible and professional treatment of the issue by both governments. The actions taken regarding the dispute in recent history include:

- *September 7, 2005.* Under the auspices of the OAS, the “Agreement on a Framework for Negotiations and Confidence Building Measures” was signed as an attempt to reach an agreement on all issues of the dispute, which included a general definitive solution in land, insular and maritime areas. In addition, the Confidence Building Measures for benefiting the inhabitants of the Adjacency Zone were reaffirmed. As contemplated in the Framework Agreement, if an agreement cannot be reached, the Secretary General of the OAS could recommend that the dispute be brought before the International Court of Justice or the Court of International Arbitration. Both countries accepted the recommendation of the Secretary General.
- *December 8, 2008.* The two countries signed the Special Agreement between Guatemala and Belize to Submit an Insular and Maritime Territorial Claim of Guatemala to the International Court of Justice (the “Special Agreement”). This Special Agreement was an important step to resolve the dispute because in addition to accepting the jurisdiction of the International Court of Justice and being bound to present the case before the judicial body, the article establishes the subject of the dispute and the stages of the process, and provides that both countries will fulfill the internal procedures required by its legislation to permit International Court of Justice to settle the territorial dispute, including consulting their populations in plebiscites.
- *September 9, 2010.* The Special Agreement was approved unanimously by Congress, by Decree No. 31-2010, dated September 9, 2010, and was the first step of compliance required by the internal procedures of Guatemalan legislation.
- *November 28, 2011.* The Ministers of Foreign Affairs of Belize and Guatemala met with the Secretary General of OAS and reiterated their commitment to comply with the terms of the Special Agreement. The Secretary General committed to convening a bilateral meeting with the plan to hold referendums before the end of 2013. Once the Special Agreement has been approved in Belize and the results of the referendums in both countries are favorable, the International Court of Justice may resolve the dispute. The Measures to Develop Trust, the Adjacency Zone established as “buffer area,” the OAS Office at the zone, in addition to the Commission of High Level created on December 16, 2009, for direct treatment of incidents, all contribute positively to the bilateral relations between Guatemala and Belize.
- *April 2013.* The Government suspended a referendum to be held on October 2013 because of the decision to impose Guatemalan territorial, insular and maritime claims before the International Court

of Justice as part of a strategy to resolve the dispute. Guatemala suspended the referendum on the grounds that the Belize government changed the requirements for said referendum to be valid.

- *October 2015.* Guatemala and Belize signed an agreement that allows each country to hold separate referendums. This agreement was approved by Congress through Decree No. 47-2016, which was published on November 15, 2016 and entered into effect on November 16, 2016.
- *April 2018.* The Government held a referendum on the territorial dispute between Guatemala and Belize, asking whether the dispute should be submitted to the International Court of Justice. An overwhelming majority (95.9%) voted to submit the dispute to the International Court of Justice. The results of the referendum are binding on the Republic. On August 22, 2018, the International Court of Justice was notified of Guatemala's decision to submit the dispute to the International Court of Justice.
- *May 2019.* A referendum on the territorial dispute with Guatemala was held on May 8, 2019 in Belize asking whether Belize should submit the territorial dispute to the International Court of Justice. The referendum resulted in a "yes" vote and, accordingly, given the binding nature of the referendum, the territorial dispute was submitted to the International Court of Justice by Belize on July 7, 2019.
- *June 2019.* On June 18, 2019, the International Court of Justice issued a resolution in which it accepted jurisdiction over the case and established the dates for the delivery of the Memorial by Guatemala on June 8, 2020, and the Counter-Memorial by Belize, on June 8, 2021.

Legal Proceedings

1. *Active investment arbitrations against the State of Guatemala*

- 1.1. *Daniel Kappes and Kappes, Cassidy & Associates v. The Republic of Guatemala (ICSID Case No. ARB/18/431)*

In 2012, Mr. Daniel W. Kappes and Kappes, Cassidy & Associates, both U.S. nationals, owners of Minerales KC, acquired through the latter entity 41 shares of Exploraciones Mineras de Guatemala, S.A. ("Exmingua") and Mr. Kappes acquired the remaining 42 shares directly. As a result of such acquisition, they acquired the legal rights, title and interest in two mining projects located in the Regional Gold Belt ("El Tambor"), these being Progreso VII Derivada and Santa Margarita, located in the municipalities of San José del Golfo and San Pedro Ayampuc.

On September 30, 2011, the Ministry of Energy and Mines (*Ministerio de Energía y Minas*) granted a 25-year Derivative Project VII Exploitation License to Exmingua. On August 28, 2014, the non-governmental organization Centro de Acción Legal-Ambiental y Social de Guatemala ("CALAS") filed an *amparo* action against the Ministry of Energy and Mines, alleging that the operating license for the Progreso VII Project was granted without compliance with the provisions of ILO Convention 169 on Community Consultation. On November 11, 2015, the Supreme Court of Justice granted the provisional *amparo*, suspending the granting of the license. That decision was challenged by Exmingua on February 23, 2016. The Constitutional Court confirmed the provisional *amparo* on May 5, 2016.

The Supreme Court of Justice granted the definitive *amparo* to CALAS on June 28, 2016, definitively suspending the operating license.

On July 21, 2020, the plaintiffs filed their statement of claim. In it, they alleged the violation of the standards of fair and equitable treatment, denial of justice, national treatment, most-favored-nation treatment, expropriation and full protection and security, for alleged damages caused by the State to its local entity, Exploraciones Mineras de Guatemala, S.A., in relation to its mining exploitation projects, Derivative Progreso VII, and exploration Santa Margarita, as well as a seizure of gold concentrate of the entity by the State of Guatemala.

On December 8, 2020, Guatemala filed a defense motion raising different objections to jurisdiction and admissibility, developing different arguments that sought to demonstrate the absence of international responsibility of the State for the alleged violations alleged by the plaintiffs and filing a counterclaim against the plaintiffs, for the environmental damage caused to Guatemala as a result of the Derivative Progreso VII mining project.

The case is in process, so there is no obligation generated or derived from this case for the State of Guatemala at present.

1.2. *Grupo Energía Bogotá S.A. E.S.P. and Transportadora de Energía de Centroamérica S.A. (ICSID Case No. ARB/20/481)*

The entities Grupo Energía Bogotá S.A. E.S.P. (“GEB”) and Transportadora de Energía de Centroamérica S.A. (together with GEB, the “plaintiffs”), dated October 11, 2019, submitted a first communication of dispute to the State of Guatemala (“Communication of Dispute No. 1”), under the Free Trade Agreement between the Republic of Colombia and the Republics of El Salvador, Guatemala and Honduras.

The difference communicated relates to the Third Amendment (of October 2019) of the “Contract of Authorization of Execution of the Works of Transmission of the Lots A, B, C, D, E and F Awarded as a result of the Open Bidding Process for the Provision of the Electric Energy Transport Service for the Value of the Annual Fee” of the PET Project of the National Program of Expansion of the Electric Power Transmission System.

The entities filed a Request for Arbitration with the International Center for Settlement of Investment Disputes (the “ICSID”).

In the assessment of the entities, there was a violation of the following standards under the Treaty: (i) Investment Protection, which implies fair and equitable treatment and full protection and security (Article 12.4); (ii) Most Favored Nation Treatment (Article 12.6); and (iii) Expropriation and Compensation (Article 12.8).

On November 3, 2020, the ICSID notified the act of registration of the case, assigning it ICSID Case No. ARB/20/48 and on November 6, 2020, the parties to the dispute (the State of Guatemala, through the Ministry of Economy and the plaintiffs) submitted a joint communication to the ICSID confirming an agreement to temporarily suspend the proceedings. The purpose of the agreement is to continue the process of consultations and negotiations to reach an amicable settlement of the dispute. On November 10, 2020, the ICSID temporarily suspended the proceedings until one of the parties thereto files a motion to resume such proceedings.

Northern Triangle Alliance for Prosperity

El Salvador, Guatemala and Honduras developed the “Plan of the Alliance for Prosperity in the Northern Triangle.” This plan identified medium-term priorities to accelerate the development of these countries and their economies. This plan was backed by financial commitments of each government and by grants from the United States, the IADB and the World Bank, intended to develop employment opportunities and improve the wellbeing of the population. In addition, this plan aimed to consolidate the commitment to integration and development of the Northern Triangle, attract tourists, and promote the entire region as an attractive destination.

The strategic aims of this plan included:

- stimulating the productive sectors to create economic opportunities;
- improving public safety and enhancing access to the legal systems; and
- strengthening institutions to increase trust in government.

The Northern Triangle Alliance for the Prosperity plan was designed for a period of five years (2015-2019), concluding during 2019 with limited progress in reducing migration. The plan lost some of its momentum after the Trump Administration focused its efforts on the “Safe Third Country Agreement.” However, new initiatives have arisen that seek to generate economic development in the region, create economic opportunities and strengthen ties with the United States, such as the “*Plan de Desarrollo Integral (PDI)*” or “*América Crece.*” The progress of these initiatives was slowed during 2020 due to the COVID-19 pandemic. However, since the beginning of 2021, with a new administration elected in the United States, these issues are being prioritized again and during 2021 these initiatives could be accelerated given changes in immigration policy announced by President Joseph Biden.

Northern Triangle Customs Union

The Northern Triangle Customs Union is one of the Government’s development priorities, which encourages employment and investment. Deep integration between Guatemala and Honduras eliminates unnecessary barriers and facilitates trade processes at border crossings between the countries involved, achieving benefits for merchants in general (micro, small, medium, and large entrepreneurs) and service providers (carriers and consolidators of loads).

On April 9, 2018, the fourth round of negotiations was held among Guatemala, Honduras and El Salvador to form a customs union. In the previous round of negotiations, held in February 2018 in Honduras, the model of integrated border ports was approved, which will be implemented at the borders of La Hachadura, Anguiatú, Las Chinamas and San Cristóbal in Guatemala, and at the borders of El Poy and El Amatillo in Honduras. On August 20, 2018, the formal admittance of El Salvador to the customs union was celebrated and the Declaration of Corinto II, which embodies the customs union between the three countries, was signed. With the incorporation of El Salvador, the Customs Union will have nine integrated border posts and 12 peripheral customs stations.

Important progress was made in the improvement of integrated border crossings, particularly regarding the treatment procedures for goods with free movement that cover the Central American Single Declaration and Invoice (*Factura y Declaración Única Centroamericana*), which is currently in force and serves for documenting the exports and imports of goods between Guatemala and Honduras. Other border crossing procedures in which progress has been made include the organization of the modules that enable streamlined border processing from a customs perspective, internet hotspots that improve communication, the enrollment of means of transport for the use of radio frequency identification technology (*tecnología de identificación por medio de radiofrecuencia*), and the enablement of a new trade facilitation module that will serve both goods with free movement like those that must pass through customs controls and that is expected to double the customer service capacity and streamline the border crossing. On May 20, 2021, Guatemala and Honduras started complementary works on their modules located in Corinto, El Florido and Agua Caliente in order to foster the customs union between both countries.

THE GUATEMALAN ECONOMY

The Guatemalan economy is the largest economy in Central America, with a preliminary nominal GDP of US\$77,598.9 million for the year ended December 31, 2020.

The economy had expanded in each of the past four years prior to 2020, with real GDP growing at a rate of 2.7% in 2016, 3.1% in 2017, 3.3% in 2018 and 3.9% in 2019. In 2020, due to the social and economic effects of the COVID-19 pandemic, according to preliminary data, real GDP decreased 1.5%. No economic sector represented more than 20.0% of GDP in 2020. The three largest sectors of the economy as a percentage of GDP were wholesale and retail trade and repair of motor vehicles and motorcycles, accounting for 19.1% of GDP, manufacturing, accounting for 14.1%, and agriculture, livestock, forestry and fishing, accounting for 10.2%.

Economic activity in Guatemala has been mainly driven by the private sector. The Government has historically played a limited role in the economy, with Government consumption expenditures accounting for approximately 11.0% of GDP in 2020.

Recent Economic Developments

In recent years, Guatemala's economy has been characterized by:

- continued growth, with the exception of 2020 given the impact of the COVID-19 pandemic;
- stable rates of inflation consistent with the Bank of Guatemala's target;
- a stable foreign exchange rate, in the context of a flexible exchange rate regime;
- high levels of net international reserves;
- low public debt incurrence as a percentage of GDP (for both domestic and external public debt);
- a stable macroeconomic environment; and low refinancing risk of public debt; and
- increasing fiscal transparency.

Gross Domestic Product and Structure of the Economy

The Guatemalan economy, according to preliminary data, contracted by 1.5% in 2020, primarily as a result of the following:

- lower spending in private consumption; and
- decreased investment.

Despite the effects of the COVID-19 pandemic, some economic sectors showed growth, namely: agriculture, livestock, forestry and fishing; electricity and water supply; sewage, waste management and remediation activities; information and communications; financial and insurance activities; real estate activities; public administration and defense; and compulsory social security.

The following table sets forth GDP by components and by expenditure, both in levels and as a percentage of total GDP for the years indicated:

	Gross Domestic Product by Expenditure (in millions of US\$ and as % of total GDP)									
	For the year ended December 31,									
	2016		2017		2018 ⁽¹⁾		2019 ⁽¹⁾		2020 ⁽¹⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
Private expenditure:										
Private consumption	55,842.0	84.6	60,817.3	84.9	62,822.4	85.8	65,350.5	84.9	64,850.3	83.6
Private investment	8,504.6	12.9	8,981.6	12.5	8,925.9	12.2	9,551.0	12.4	9,463.1	12.2
Change in inventory	(6.4)	—	(9.5)	0.0	71.6	0.1	7.3	0.0	(446.9)	(0.6)
Total private expenditure	64,340.1	97.4	69,789.3	97.4	71,819.9	98.1	74,908.9	97.3	73,866.5	95.2
Public expenditure:										
Public consumption	6,894.3	10.4	7,572.8	10.6	8,113.2	11.1	8,563.2	11.1	8,958.6	11.5
Public investment	655.6	1.0	766.2	1.1	1,103.1	1.5	1,461.4	1.9	1,020.5	1.3
Total public expenditure	7,549.9	11.4	8,339.0	11.6	9,216.3	12.6	10,024.7	13.0	9,979.1	12.9
Gross national expenditures	71,890.0	108.9	78,128.4	109.1	81,036.2	110.7	84,933.5	110.3	83,845.6	108.0

	For the year ended December 31,									
	2016		2017		2018 ⁽¹⁾		2019 ⁽¹⁾		2020 ⁽¹⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
Exports of goods and services	12,383.6	18.8	13,247.1	18.5	13,323.4	18.2	13,590.4	17.6	13,110.6	16.9
Imports of goods and services	(18,238.6)	(27.6)	(19,750.2)	(27.6)	(21,149.9)	(28.9)	(21,520.5)	(27.9)	(19,357.3)	(24.9)
Gross domestic product.....	66,035.0	100.0	71,625.3	100.0	73,209.8	100.0	77,003.5	100.0	77,598.9	100.0

(1) Preliminary data.
Source: Bank of Guatemala.

The following table sets forth investment and savings as a percentage of GDP for the years indicated.

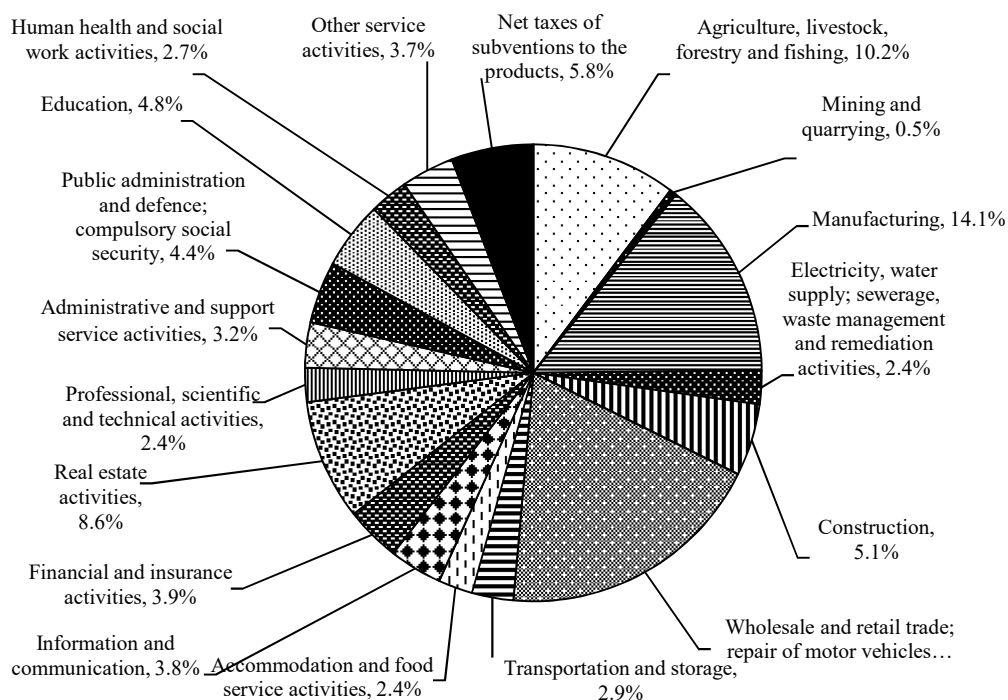
Investment and Savings (as a % of GDP)

	As of or for the year ended December 31,				
	2016	2017	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Gross domestic investments.....	13.9	13.6	13.8	14.3	12.9
Domestic savings:					
Public savings.....	1.6	1.4	0.9	0.5	(1.3)
Private savings	13.2	13.2	13.7	16.1	19.7
Total domestic savings.....	14.7	14.6	14.6	16.6	18.4
External savings.....	(0.9)	(1.0)	(0.8)	(2.3)	(5.5)
Total savings.....	13.9	13.6	13.8	14.3	12.9

(1) Preliminary data.
Source: Bank of Guatemala.

Main Economic Activities

During 2020, the main economic activities in Guatemala were wholesale and retail trade and repair of motor vehicles and motorcycles; manufacturing; agriculture, livestock, forestry and fishing; real estate activities; construction; education; public administration and defence and compulsory social security. The following chart presents the contribution of each sector of the Guatemalan economy to GDP in 2020 (based upon preliminary data).



FISIM = Financial Intermediation Services Indirectly Measured

The following tables set forth the distribution of real GDP by economic sector as a percentage of real GDP for the years indicated and annual growth of real GDP by sector.

**Gross Domestic Product by Economic Sector
(as a % of real GDP at real prices)**

	For the year ended December 31,				
	2016	2017	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Primary sectors:					
Agriculture, livestock, fishing and forestry.....	9.7	9.7	9.5	9.4	10.2
Mining and quarries.....	1.0	0.7	0.5	0.5	0.5
Total primary sector.....	<u>10.7</u>	<u>10.4</u>	<u>10.0</u>	<u>10.0</u>	<u>10.7</u>
Secondary sectors:					
Manufacturing.....	14.2	14.1	14.0	13.8	14.1
Electricity, water supply, and remediation activities.....	2.4	2.3	2.2	2.3	2.4
Construction.....	5.0	4.8	4.7	5.2	5.1
Total secondary sector.....	<u>21.6</u>	<u>21.2</u>	<u>20.9</u>	<u>21.3</u>	<u>21.6</u>
Services:					
Wholesale and retail trade; repair of motor vehicles and motorcycles.....	18.9	19.2	19.2	19.2	19.1
Transportation and storage.....	3.1	3.1	3.0	3.0	2.9
Accommodation and food service activities.....	3.0	3.1	3.1	3.2	2.4
Information and communication.....	4.2	4.0	4.0	3.8	3.8
Financial and insurance activities.....	3.6	3.6	3.7	3.9	3.9
Real estate activities.....	8.4	8.4	8.5	8.3	8.6
Professional, scientific and technical activities.....	2.3	2.4	2.5	2.4	2.4
Administrative and support service activities.....	3.4	3.3	3.3	3.2	3.2
Public administration and defense; compulsory social security.....	4.1	4.2	4.4	4.2	4.4
Education.....	4.5	4.7	4.6	4.7	4.8
Human health and social work activities.....	2.4	2.4	2.5	2.6	2.7
Other service activities.....	4.0	4.1	4.1	4.1	3.7
Total services.....	<u>61.9</u>	<u>62.5</u>	<u>63.0</u>	<u>62.6</u>	<u>61.9</u>
Net taxes on subsidies to products.....	5.8	5.9	6.1	6.1	5.8
Total GDP.....	<u><u>100.0</u></u>	<u><u>100.0</u></u>	<u><u>100.0</u></u>	<u><u>100.0</u></u>	<u><u>100.0</u></u>

(1) Preliminary data.
Source: Bank of Guatemala.

**Growth of Real Gross Domestic Product by Economic Sector
(% change from prior years)**

	For the year ended December 31,				
	2016	2017	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Primary sectors:					
Agriculture, livestock, fishing and forestry.....	2.4	3.3	2.5	2.1	2.9
Mining and quarries.....	(9.1)	(29.3)	(31.1)	2.8	(1.6)
Total primary sector.....	<u>1.2</u>	<u>0.2</u>	<u>0.2</u>	<u>2.1</u>	<u>2.7</u>
Secondary sectors:					
Manufacturing.....	3.0	3.0	3.3	3.1	(0.2)
Electricity, water supply, and remediation activities.....	3.8	5.4	2.1	(1.3)	2.2
Construction.....	(0.3)	3.0	5.1	9.5	(6.2)
Total secondary sector.....	<u>2.3</u>	<u>3.3</u>	<u>3.6</u>	<u>4.1</u>	<u>(1.4)</u>
Services:					
Wholesale and retail trade; repair of motor vehicles and motorcycles.....	2.9	3.1	2.6	3.7	(0.5)
Transportation and storage.....	2.1	2.7	3.8	2.7	(12.9)
Accommodation and food service activities.....	4.9	4.4	4.6	6.9	(24.0)
Information and communication.....	4.5	5.1	4.3	4.4	1.4
Financial and insurance activities.....	7.5	4.2	5.9	7.1	3.4
Real estate activities.....	3.8	3.8	4.1	4.3	3.1
Professional, scientific and technical activities.....	(1.6)	4.6	6.2	3.8	(2.1)
Administrative and support service activities.....	0.4	2.6	3.8	2.9	(0.1)
Public administration and defense; compulsory social security.....	1.9	3.2	4.4	2.3	1.0
Education.....	0.6	1.1	1.8	0.8	(2.4)
Human health and social work activities.....	5.6	3.8	3.1	4.4	(0.2)
Other service activities.....	3.2	3.4	2.4	3.0	(9.3)
Total services.....	<u>3.0</u>	<u>3.4</u>	<u>3.5</u>	<u>3.8</u>	<u>(2.1)</u>
Net taxes on subsidies to products.....	3.3	4.4	5.6	6.8	(2.9)
Total GDP.....	<u>2.7</u>	<u>3.1</u>	<u>3.3</u>	<u>3.9</u>	<u>(1.5)</u>

(1) Preliminary data.
Source: Bank of Guatemala.

Primary Sectors

Agriculture, Livestock, Fishing and Forestry

Guatemala's favorable weather conditions and its wide range of altitudes and microclimates permit the production of a great variety of raw materials and feedstock. Approximately 26.0% of Guatemala's territory (108,889 square kilometers) is suitable for crops such as coffee, bananas, African palm, cardamom, sugarcane and vegetables. There is also production of grains, especially corn, beans and rice, which are linked closely to Guatemalans' traditional diet.

The primary sector is important to the structure of the economy. Between 2016 and 2020, primary production has represented on average 10.4% of GDP, and the export of primary agriculture products has accounted for 24.8% on average (sugar, coffee, bananas and cardamom) of total earnings from foreign exchange. Combined with other agricultural products (fruits, flowers, vegetables, sesame, honey, etc.), primary agriculture products have represented approximately 34.1% of total exports between 2016 and 2020. According to preliminary data, the agriculture, livestock, fishing and forestry sector represented approximately 10.2% of GDP in 2020.

The agriculture, livestock, fishing and forestry sector grew at an average compounded annual rate of 2.6% between 2016 and 2020.

In 2016, this sector grew at a rate of 2.4% as a result of increased production due to the recovery of coffee crop after damage caused by rust fungus, which affected approximately 40.0% of crops between 2013 and 2016. Growth in this sector was further driven by increased external demand for vegetables and fruits, mainly melons and plantains. Domestic demand for sugar cane and oleaginous fruits, specifically African palm, used for the production of oils and fats also increased.

In 2017, although sugarcane production contracted by 7.8%, the agriculture, livestock, fishing and forestry sector as a whole grew by 3.3%, due to an increase in banana, cardamom and coffee production, as well as in poultry breeding. In 2018, this sector grew by 2.5%, as a result of the increased production of vegetables and fruits and poultry breeding, resulting from greater demand both internally and externally, as well as favorable climatic conditions. Similarly, production of coffee and cardamom increased as a result of greater external demand.

In 2019, the agriculture, livestock, fishing and forestry sector grew by 2.1%, as a result of favorable climatic conditions that resulted in increased banana, coffee, cardamom and sugarcane production.

According to preliminary data, in 2020, the agriculture, livestock, fishing and forestry grew by 2.9%, due to the increase in exports of cardamom, vegetables and natural rubber, as well as the increase in the domestic demand for African palm.

The following table sets forth information regarding the production of certain products in the agricultural sector for the periods presented.

Gross Value Added of Selected Primary Goods Production (% change from prior year, at real prices)

	For the year ended December 31,				
	2016	2017	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Cereals.....	2.8	3.0	0.2	1.7	(0.7)
Legumes, seeds and oleaginous fruits.....	3.2	(4.3)	5.7	1.8	0.9
Vegetables and melons, roots and tubers.....	3.1	1.1	3.2	(0.9)	3.3
Sugar cane.....	2.1	(7.8)	0.4	1.7	(4.1)
Other crops.....	4.7	8.0	2.4	1.6	2.1
Banana.....	2.1	8.4	1.4	2.1	(0.1)
Other fruits and nuts.....	3.6	6.4	(0.2)	1.7	2.1
Coffee.....	4.2	4.9	1.6	3.1	(4.5)
Cardamom.....	(8.5)	6.6	4.4	6.3	26.4
Livestock, forestry and fishing.....	2.2	3.9	3.1	2.8	2.1

(1) Preliminary data.
Source: Bank of Guatemala.

Coffee

Guatemala is one of the world's leading producers of Arabica coffee, and almost all of its coffee exports are of this type of bean. In addition, 79% is strictly "hard," which means that it is a high quality product harvested in plantations located at the highest elevations. The volume of coffee production has remained stable for the past five years at an average of 4.6 million *quintales* annually.

During 2016 and 2017, coffee production registered growth, due to the renewal of coffee plantations made in previous years, which led to an increase in production and yield. In 2018, coffee production increased as a result of higher external demand. In 2019, production was further increased due to increased demand in the local market and favorable weather conditions. During 2020, according to preliminary data, production decreased, in part, as a consequence of the low prices observed in 2019.

The following table shows coffee production, the value of coffee exports and the average price per *quintal* for the agricultural years referenced. Agricultural years are based on the production season for the applicable agricultural product. The agricultural year for coffee takes place from October to September of the following year.

Coffee Production and Prices

	For the agricultural year ended December 31,				
	2016	2017	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Production ⁽²⁾	4,398.5	4,625.3	4,639.7	4,785.5	4,489.8
Export volume ⁽²⁾	4,007.0	4,484.5	4,536.5	4,762.8	4,149.5
Value of exports (in million US\$)	649.1	748.0	679.9	662.4	650.5
Price per <i>quintal</i> (in US\$) ⁽³⁾	162.0	166.8	149.9	139.1	156.8

(1) Preliminary data.

(2) In thousands of *quintales*.

(3) Amounts reflect the average export price per *quintal* of coffee, not the average international price of coffee.

Source: Bank of Guatemala.

Bananas

Between 2016 and 2020, banana production has registered an average compounded annual rate of 2.8%. This production depends mainly on prevailing climatic conditions, which were favorable in 2017 and 2019. These conditions allowed for better yields in the existing plantations, and the expansion cultivation areas. By contrast, in 2016 and 2018 yields decreased as a result of the deterioration of climatic conditions in some of the main cultivation areas. According to preliminary data, in 2020, production slightly decreased by 0.1%, as a result of unfavorable weather conditions (particularly the tropical storms Eta and Iota).

Cardamom

Guatemala is one of the leading producers of cardamom in the world. The majority of cardamom production is exported to the Middle East and small quantities to the European Union.

In 2016 production decreased by 8.5% mainly due to unfavorable weather conditions, while in 2017 cardamom production increased by 6.6% primarily due to better production from the 2016/2017 harvest. In 2018, cardamom production increased by 4.4% as a result of higher international prices. For 2019, cardamom production grew by approximately 6.3% also driven by higher international prices and favorable weather conditions. According to preliminary data, in 2020, production registered a significant growth of 26.4%, as a result of the increase in international prices, and the improvement of crop practices, which, in turn, resulted higher yields and production.

Sugarcane

In 2016 and 2018, production increased by 2.1% and 0.4% respectively, after the crops recovered from droughts in the prior years (2015 and 2017, respectively). Likewise, the introduction of stronger varieties increased production yields. Favorable weather conditions during 2019 allowed the production of sugarcane to continue to grow at an estimate rate of 1.7%. However, in 2020, production decreased by 4.1%, as a result of smaller planted areas because of a drop in international prices.

Cereals

Cereal production growth has remained stable between 2016 and 2020 and has increased at an average compounded annual growth rate of 1.4%. Although prolonged heat and droughts in some areas, such as the "dry

corridor” had an adverse effect on crops in Guatemala, improvements in agricultural practices mitigated those effects in these and other products.

Vegetables

Vegetables and melons, roots and tubers production remained stable between 2016 and 2018 with an average compounded annual growth rate of 2.5%. This result was due to higher external and internal demand, as well as favorable weather conditions in those years. However, during 2019 production volume decreased by 0.9% due to the late blight that affected melon and watermelon crops, reducing the amount of hectares planted, which led to a substantial reduction in exports of these products. In 2020, according to preliminary data, the production grew by 3.3%, as a consequence of the increase in external demand.

Other fruits and nuts

For 2016 and 2017, fruit production registered growth rates of 3.6% and 6.4%, respectively, due to the greater external demand for papaya and macadamia nuts. The production of fruits and nuts registered a slight contraction of 0.2% in 2018; while it increased by 1.7% and 2.1% in 2019 and 2020, respectively as a result of higher domestic and external demand.

Mining and quarrying

For the period between 2016 and 2018 production in this sector contracted by 23.2%, mainly due to decreased extraction of metallic minerals due to lower external demand, the scheduled closure of Mina Marlin and the suspension of activities at Minera San Rafael, both in 2017.

During 2019, mining production grew approximately 2.8% due to an increase in demand for stone, sand and clay as a result of the higher demand by construction activity and manufacturing industries.

According to preliminary data, in 2020, mining production decreased 1.6%. This reduction was primarily due to lower levels of crude oil extraction and lower production of oil derivatives as a result of a drop in international prices. The decrease in mining activity was partially offset by higher levels of nickel ore production as a result of an increase in external demand for this mineral.

Secondary Sectors

Manufacturing

In 2020, according to preliminary data, the three main activities of the manufacturing sector were food products and beverages, which accounted for 48.3% of total manufacturing output; textiles, clothing, leather, and footwear, which accounted for 11.3%; and other manufactured products, which accounted for the remaining 40.5%.

In 2016, the sector grew 3.0% due to the increased demand for food products, such as those related to manufacture of vegetable and animal oils and fats, and the manufacture of textiles and clothing. Similarly, in 2017, the sector grew by 3.0% as a result of a decrease in food and beverage activities, such as the production of sugar and non-alcoholic beverages.

In 2018, growth in this sector was 3.3% mainly as a result of increased production of textiles, clothing, leather and footwear, driven by an increase in external and internal demand for these products, particularly for spinning, weaving and finishing of textiles and manufacturing of garments for export. In 2019, this sector grew at a rate of 3.1% due to higher demand in the domestic market for food and alcoholic and non-alcoholic beverages, as well as cement, lime, plaster and concrete.

In 2020, according to preliminary data, this sector contracted by 0.2%, primarily due to a slowdown in the manufacturing of clothing, leather goods and footwear, which, in turn, was primarily due to a decrease in the domestic demand for this type of goods, as well as in the external demand for garment manufacturing. Sugar production also decreased primarily as a result of a reduction in the harvested area and adverse climatic conditions.

The following table sets forth information regarding selected manufacturing production for the years indicated.

Gross Value Added in Manufacturing
(% change from prior years, at real prices)

	As of or for the year ended December 31,				
	2016	2017	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Food products and beverages	3.4	2.4	3.6	2.9	0.7
Manufacture of textiles, clothing, leather and footwear	4.6	5.2	4.3	0.8	(10.9)
Other manufactured products	2.0	3.0	2.5	4.2	2.3

(1) Preliminary data.
Source: Bank of Guatemala.

Electricity, water supply, and remediation activities

Between 2016 and 2017, this sector grew at an average compounded annual rate of 4.6%. This positive trend was primarily due to an increase in the generation of renewable power, which accounted for 64.3% of the total generated electricity. Additionally, during this period, both the demand of the National Interconnected System and external demand increased.

During 2018 and 2019, this sector grew at an average compounded annual rate of 0.4%, primarily as a result of a decrease in the generation of renewable power, which accounted for 59.8% of the total generated electricity. In addition, during this period, the demand of the National Interconnected System remained stable; however, its exports slowed down. According to preliminary data, in 2020, the sector grew approximately 2.2%, primarily as a result of the increase in the generation of renewable power.

Construction

In 2016, the construction sector contracted by 0.3%, mainly due to the reduction in the authorization of large-scale construction licenses, as well as the decrease in the direct real investment associated with the construction of infrastructure works by the Government. Between 2017 and 2019, construction showed an average compounded annual growth rate of 5.9% as a result of the increased authorization of construction licenses for large-scale construction, both for residential and non-residential buildings, as well as greater expenditures by the Government on civil engineering projects. According to preliminary data, in 2020, the construction sector contracted by approximately 6.2%, primarily as a result of the restrictions imposed by the Government to prevent the spread of COVID-19, the decrease in the number of construction licenses authorized, and decreased government spending on infrastructure.

Services Sectors

Wholesale and retail trade; repair of motor vehicles and motorcycles

Wholesale trade grew at an average compounded annual rate of 2.4% between 2016 and 2020, primarily as a result of an increase in the commercialization of imported goods and commercialization margins in national agricultural and manufacturing goods.

Transportation and storage

Between 2016 and 2019, the transportation and storage sector showed an average compounded annual growth rate of 2.8%, primarily as a result of greater demand for land freight transport services, which, in turn, was driven by the demand generated by agricultural and industrial activities. Likewise, growth in this sector was also prompted by the growth in storage and transportation support activities, specifically the landing of merchandise in national ports due to the greater volumes of merchandise of imported origin.

In 2020, according to preliminary data, activity in this sector decreased by 12.9%, primarily as a result of the measures taken by the Government to cope with the COVID-19 pandemic, which affected the transport of products, especially goods of imported origin, passenger transportation, and embarkation and disembarkation activities in national ports.

Accommodation and food service activities

The accommodation and food service activity registered an average compounded annual growth rate of 5.2% during the 2016-2019 period. This behavior is mainly associated with the expansion of food and beverage services and the opening of new restaurants both in the capital city and in the interior of the country.

According to preliminary data, in 2020, this sector contracted by 24.0%, primarily due to the reduction in the demand for food and beverage services and accommodation services derived from mobility restrictions and social distancing regulations imposed by governmental authorities due to the COVID-19 pandemic.

Information and communication

The information and communications activity showed an average compounded annual growth rate of 3.9% in the period 2016-2020, primarily as a result of the dynamism in the telecommunications activity due to a higher demand for data services on the mobile platform and the increase in broadband access.

Financial and insurance activities

Financial and insurance activities registered an average compounded annual growth rate of 6.2% during the 2016-2019 period, primarily due to an increase in credit to the private sector and the performance of auxiliary financial services activities, particularly the commissions received by credit card operators. In 2020, according to preliminary data, financial and insurance activities grew by 3.4%, primarily due to the positive evolution of financial intermediation activities, mainly of banks.

Real estate activities

During the 2016-2020 period, real estate activities registered an average compounded annual growth rate of 3.8% due to the higher volume of rental of homes for own final use and rental of market homes. This was primarily a result of the increase in the number of finished homes that become part of the country's stock.

Professional, scientific and technical activities

Professional, scientific and technical activities showed an average compounded annual growth rate of 2.2% during the 2016-2020 period, primarily due to growth in the following sectors: legal and accounting activities, activities of the head office (particularly, overseeing and managing of branch offices); management consulting activities and advertising activities and market research.

Administrative and support service activities

These activities grew an average compounded annual rate of 1.9% during the 2016-2020 period. This growth is mainly associated with the growth of call center activities and security and investigation activities, which, in turn, is primarily due to increased demand from commercial and financial activities.

Public administration and defense; compulsory social security

The economic growth of public administration and defense and compulsory social security relies, mainly, on the increases of payments of salaries to public employees each year and the hiring of new staff. In the 2016-2020 period, the average compounded annual growth rate was 2.6%.

Education

Education grew an average compounded annual rate of 1.1%, during the 2016-2019 period, mainly as a result of a better performance in both public and private education services. According to preliminary data, in 2020, this sector contracted by 2.4%, primarily due to a decrease in public and private education services influenced by the health crisis related to the COVID-19 pandemic.

Human health and social work activities

These activities show an average compounded annual growth rate of 3.3% from 2016 to 2020, mainly due to the positive trend of the activities of doctors and dentists and hospitals, which responds to a greater supply of human health market services throughout the country.

Human Development

The Human Development report published by the United Nations in 2015 presented the Human Development Index ("HDI") ranking 188 countries in terms of long-term progress in human development in three basic aspects: (i) a long and healthy life; (ii) access to education; and (iii) a decent standard of living. The first aspect is measured by life expectancy. The second is measured by number of years of schooling for people 25 years of age and the expected years of schooling for school-aged children. The third aspect is measured by gross national

income (“GNI”) per capita expressed in constant 2011 U.S. dollars converted using purchasing power parity (“PPP”) rates.

Using consistent time series data, the table below presents the change in the HDI and the component indices:

Guatemala’s HDI Trends Based on Consistent and Comparable Time Series Data

	Life expectancy at birth	Expected years of schooling	Mean years of schooling	GNI per capita (2011 PPP in U.S. dollars)	HDI value
1990	62.3	6.5	3.1	5,417	0.481
2019	74.3	10.8	6.6	8,494	0.663
Difference 2018-1990.....	12.0	4.3	3.5	3,077	0.182
% change.....	19.3%	66.2%	112.9%	56.8%	37.8%

Source: Human Development Report 2020.

Since 1980, there have been important advances in human development in Guatemala, which reflects a transition from military governments to democratic elections starting in 1986, and the execution of the Peace Agreements that ended the internal conflict that lasted 36 years. Between 1990 and 2019, life expectancy at birth increased by 12.0 years from 62.3 to 74.3 years (19.3%), while expected schooling years for children increased by 4.3 years (66.2%) and schooling years for people age 25 increased by 3.5 years (112.9%) and GNI per capita increased from US\$5,417.00 to US\$8,494.00 (56.8%).

The following table presents general and extreme poverty statistics for the years indicated based on the most recently available information.

Trends in Overall Poverty in Guatemala (as percent of total population)

	For the year ended December 31,				
	1989	2000	2006	2011	2014
General poverty.....	62.8	56.2	51.0	53.7	59.3
Extreme poverty.....	18.1	15.7	15.2	13.3	23.4

Sources: World Bank, SEGEPLAN, INE and the Center for Distributive, Labor and Social Studies (CEDLAS) and La Plata University.

The proportion of the population living in extreme poverty (less than US\$1.00 per day) was 23.4% in 2014 compared to 18.1% in 1989. The proportion of the population living in poverty decreased from 62.8% in 1989 to 59.3% in 2014.

There have been substantial improvements in education. According to the National Committee for Literacy (*Comité Nacional de Alfabetización*), the illiteracy rate among people aged 15 and older decreased from 29.3% in 2002 to 19.2% in 2018. The following table sets for the population served in the literacy process.

Population served in the literacy process

	As of December 31,				
	2016	2017	2018	2019	2020
Enrolled.....	143,843	153,587	149,128	147,871	136,275
Promoted.....	114,374	126,494	125,084	123,271	117,845
Promoted (%) ...	79.5	82.4	83.9	83.4	86.5

Source: *Comité Nacional de Alfabetización*.

According to the Ministry of Education, the net school enrollment rate and the rate of students promoted are as shown in the following table.

School Indicators, Primary and Secondary Education (%)

	As of December 31,									
	2016		2017		2018		2019		2020	
	School enrollment (% net)	Students promoted (%)	School enrollment (% net)	Students promoted (%)	School enrollment (% net)	Students promoted (%)	School enrollment (% net)	Students promoted (%)	School enrollment (% net)	Students promoted (%)
School level										
Elementary										
School.....	91.5	88	92.1	88	93.2	89	93.4	89	93.7	98
Middle School ...	47.6	73	48.1	74	49.2	76	49.1	76	49.2	87
High School.....	24.7	83	25.1	84	25.6	84	25.7	85	26.1	87

(1) Preliminary data.

Source: Ministry of Education.

By 2020, elementary school enrollment was 93.7%. The percentage of elementary school students promoted increased from 88.0% in 2016 to 98.0% in 2020. The school enrollment indicator for middle school and high school education improved for the same period, with net school enrollment increasing from 47.6% in 2016 to 49.2% in 2020, and from 24.7% in 2016 to 26.1% in 2020, respectively. The percentage of middle school and high school students promoted increased from 73.0% in 2016 to 87.0% in 2020, and from 83.0% in 2016 to 87.0% in 2020, respectively.

Most elementary school is provided in public schools. However, middle school education has significant private sector participation. In 2020, there were 19,420 elementary schools (*nivel primario*, grades 1st to 6th), 8,589 middle schools (*nivel secundario*, grades 7th to 9th) and 5,027 high schools (*nivel diversificado*, grades 10th to 12th/13th). In 2020, approximately 15.2% of elementary schools, 48.2% of middle schools and 81.3% of high schools were private. Public school participation decreases in higher levels of education because the Constitution states that public education must be free up to middle school (Art. 74).

For higher education, the Constitution mandates that the *Universidad de San Carlos* must receive at least 5% of ordinary public revenues of the Republic (Art. 84). Access to higher education has also improved in recent years.

Although there have been significant improvements in health and education, important challenges still remain. As of December 3, 2016, there were a total of 12,948 reported cases of chronic malnutrition in children under five years old, 1,144 fewer than in 2015, when the National System for Secure Food and Nutrition (*Sistema de Información Nacional de Seguridad Alimentaria y Nutricional*) accounted for 14,362 cases, which is equivalent to a reduction of 9.8% in acute malnutrition at the national level.

In order to reduce chronic malnutrition, comprehensive interventions were implemented through the MSPAS, benefiting approximately 1,394,833 girls and boys under five years of age with vaccination services, growth monitoring, micronutrient supplementation and deworming services, among others. As October 31, 2018, 103,851 additional children under one year of age had been vaccinated, as compared to the same date in 2017. Similarly, as of October 31, 2018, 83,913 additional children between one and five years of age had been vaccinated, as compared to the same date in 2017.

In 2019, 457,318 children under one year of age received vaccinations for children that age, 1,281,038 children under two years of age were checked for weight and height measurements; and 249,658 children under two years of age received vitamin and mineral supplements.

In 2020, actions were taken to reduce chronic malnutrition by monitoring the growth of 711,561 children less than two years of age.

To reduce malnutrition and to further improve the health of the population, especially for the poorest and more vulnerable sectors, the Government launched several policies and programs to improve the inter-institutional coordination to target more efficiently the public resources earmarked to support the poorest families.

In 2016, the Zero Hunger Pact (*El Pacto Hambre Cero*) was renamed the Annual Operational Plan for Food and Nutritional Security (POASAN) whose intervention was at the national level. In 2019, Q5,005.5 million (US\$648.2 million) was invested in POASAN. In 2020, Q4,867.3 million (US\$630.3 million) was invested in POASAN.

The MSPAS, as part of the “Window of a Thousand Days” (*Ventana de los Mil Días*), took the following different actions in 2016:

- Technical assistance through home visits in 130 municipalities, in which 27,539 families attended and were trained to improve their quality of life.
- Implementation of a friendly space strategy for adolescents in 274 health districts, aiming to provide adolescents with comprehensive attention in health education.
- Implementation of the National Committee of Healthy Schools (*Comisión Nacional de Escuelas Saludables*), which have distributed 3.1 million doses of deworming products.
- Training for 25 local food and nutritional public safety commissions, which prioritize the monitoring of growth and vigilance in child development, the administration of vaccines, micronutrients and deworming products and providing comprehensive and integrated attention towards the promotion of health, detection and timely care of diseases.
- Monitoring acute respiratory infections, as well as water-borne, food and skin diseases.
- Promotion and support of breast-feeding.
- Improvement in complementary nutrition beginning at six months of age.
- Improvement in hygiene practices, including hand-washing.
- Provision of vitamin A supplements, and therapeutic zinc supplements for the management of diarrhea.
- Provision of micronutrients in powder form to supplement basic foodstuffs.
- Provision of anti-parasite and vaccinations for children.
- Provision of iron and folic acid supplements to prevent birth defects.
- Prevention of iodine deficiencies, through the provision of iodized salt.

As part of the implementation of the “Window of a Thousand Days” actions, the MSPAS has included care for pregnant women in the offer of health services, paying special attention to timely prenatal care, institutional delivery care by qualified personnel and micronutrient supplementation, which benefited 1,951,604 women of childbearing age in 2018, and 391,987 pregnant women.

In 2019, the MSPAS provided iron and folic acid supplements to 396,357 pregnant women and to 2,309,089 women of childbearing age. In 2020, the MSPAS provided iron and folic acid supplements to 377,396 pregnant women and to 1,813,524 women of childbearing age.

The Ministry of Agriculture Livestock and Food (*Ministerio de Agricultura Ganadería y Alimentación*, the “MALF”) carries out programs that promote the development of rural areas to improve productivity and/or food security, such as: the Family Agriculture Program for the Strengthening of the Rural Economy, whose purpose is to contribute to the national effort to eradicate hunger and malnutrition in the country. The MALF also provides food assistance to the poorest municipalities in order to prevent famines. The INAB has programs to incentivize families and communities to protect forest areas and promote forest recovery programs, in the 118 poorest municipalities. The MALF promotes community production of food within poor families with diet deficiencies. This Ministry also established other programs, including the development of community-based interventions providing residents with supplies, materials and methods to establish collective farms and backyard agriculture. With an investment of Q16.98 million, these programs helped a total of 48,971 individuals and 45,520 families and school gardens receive training and seeds for eight varieties of vegetable and fruit plants.

In 2019, 11,274 rural families with children under two years of age increased their food consumption and were able to avoid chronic malnutrition, and 7,169 families with children under two years of age received training and technical assistance to improve the availability and consumption of food at home.

For 2020, the MIDES also provided access to nutritious foods through the Social Basket (*Bolsa Social*) program to approximately 23,556 families.

In 2020, MALF, in coordination with the Secretariat of Food and Nutritional Security - SESAN, planned, coordinated and managed food assistance to benefit 76,945 families with high vulnerability to food insecurity and affected by emergencies.

Monetary Conditional Transfers

The Ministry of Social Development makes current monetary transfers through three social programs: Social Bonus (*Bono Social*), Social Shopping Bag (*Bolsa Social*), and Social Scholarship (*Beca Social*). In 2019, the MIDES provided Health, Food and Education Conditional Cash Transfers (*Transferencias Condicionadas en Salud, Alimentos y Educación*) to underprivileged families through the Social Bonus (*Bono Social*) program, under which approximately 146,060 beneficiaries were served. During 2019, the MIDES also provided 4,237 scholarships for middle school education, 1,000 scholarships for higher education, 538 first job scholarship and 4,000 scholarships for artisans. These transfers have contributed to reduce the vulnerability of the poorest families and to increase their human capital investment. During 2020, the Ministry of Social Development (*Ministerio de Desarrollo Social*), along with the COVID-19 emergency actions, continued developing the assigned social programs by carrying out interventions linked to POASAN in an amount of Q401.6 million (US\$51.5 million).

According to the final report of the World Health Organization's Millennium Development Goals, undernourishment decreased from 13.1% in 2008 to 12.6% in 2014-2015. Chronic undernourishment of children under five also decreased significantly since 2008, from 49.8% to 46.5% in 2014-2015.

In 2020, a strategy to combat malnutrition was defined through the Great National Crusade that identifies the Guatemalan population as a target, with emphasis on children under five years of age, preschool and school children, women, rural and indigenous population, in the departments with the highest prevalence of chronic malnutrition, poverty and extreme poverty. This strategy involves different public institutions under the coordination of SESAN.

In addition, the financial resources destined for the Peace Agreements have decreased their participation in the budget execution from 49.4% in 2016 to 43.5% in 2020.

Business Environment

The World Bank's Doing Business report measures how easy it is for a local entrepreneur to open a small or a medium-size business when complying with relevant regulations. It includes quantitative indicators on business regulations and the protection of property rights that can be compared among 190 countries over time. In the last report published on October 24, 2019, Guatemala ranked fourth in Doing Business (96th position in the overall ranking) in Central America (Costa Rica 74th, Panama 86th, El Salvador 91st Honduras 133rd, Belize 135th, and Nicaragua 142nd). In the report published on October 31, 2018, Guatemala had ranked in 98th position in the overall ranking.

The Global Competitiveness Report published by the World Economic Forum in 2019 ranked Guatemala 98th among 141 countries (two positions lower than the ranking in 2018-2019). This report analyzes 12 aspects of the economy. According to the 2018 Report, Guatemala improved in its information and communications technologies adoption, financial system and market size.

Employment, Informality and Wages

Labor force participation has increased due to population growth. The following table presents statistics of the labor market. According to the INE, in 2019 employment increased to 6.9 million from 6.1 million in 2015 people and the unemployment rate has increased from 2.4% in 2015 to 2.5% in 2019.

Labor Force Statistics

	As of December 31,				
	2015⁽¹⁾	2016⁽¹⁾	2017⁽¹⁾	2018⁽¹⁾	2019⁽²⁾
Employed	6,121,591	6,401,569	6,533,522	6,827,687	7,274,114
Labor force (EAP).....	6,273,526	6,605,276	7,034,660	7,285,619	7,419,943
Social Security affiliates.....	1,267,429	1,468,798	1,261,703	1,276,260	1,578,589
Unemployment rate (%).....	2.4	3.1	3.2	2.8	2.0
Labor force participation (%).....	60.4	61.5	61	60.2	59.1
Social security coverage of EAP (%).....	20.2	22.2	17.9	17.5	21.3

(1) Based on the National Survey of Employment and Income (*Encuesta Nacional de Empleo e Ingresos*, or “ENEI”) from 2015 to 2018.

(2) Based on ENEI 2-2019

Source: INE/ENEI.

Based on ENEI data for 2019, 17.9% of the labor force or economically active population (“EAP”) above 15 years of age received social security. According to the Ministry of Work and Social Welfare, in 2020 the minimum monthly salary was Q2,581.77 (US\$331.26 at the exchange rate as of December 31, 2020) for the *maquila* industry (which has a lower minimum wage than other activities) and the monthly minimum bonus is Q250.00 (US\$32.08). The minimum wage varies by sector. In 2019, the minimum monthly salary was Q2,508.16 (US\$325.78) for the *maquila* industry. For other private activities (agriculture and non-agriculture) the minimum monthly salary in 2020 was Q2,742.37 (US\$351.86) for agriculture (an increase of 3.02% compared to 2019) and Q2,825.1 (US\$362.48) for non-agriculture, which remains the same as in 2019.

The Ministry of Labor and Social Welfare and the Ministry of Economy signed the National Policy for Decent Employment 2017-2032. This policy aims to increase the opportunities for women and men in Guatemala to have decent and productive employment, through an integrated effort of economic and social policy and the public and private sectors, which fosters sustained, inclusive and sustainable growth and reduction of poverty and inequality, especially of indigenous peoples, rural areas, women and youth.

The following table sets forth information regarding affiliated employment to the social security by economic sector for the years showed.

**Employment Affiliated to the Social Security
(Total and % of Sector Participation)**

	For the year ended December 31,				
	2016	2017	2018	2019	2020
Total employment	1,300,001	1,313,017	1,325,537	1,350,821	1,284,670
Agriculture, livestock, fishing and forestry (%)	11.6	11.4	10.2	9.2	7.1
Mining and quarries (%)	0.4	0.3	0.2	0.1	0.2
Manufacturing (%)	12.5	12.2	12.1	12.3	13.7
Construction (%)	1.0	0.9	0.8	0.7	1.4
Electricity and water (%)	0.8	0.8	0.8	0.8	0.9
Wholesale and retail trade; repair of motor vehicles and motorcycles (%)	20.1	20.5	21.5	22.2	30.3
Transportation, storage and telecommunications (%)	3.6	3.3	3.5	3.6	3.9
Services (%)	50.0	50.6	50.8	51.0	42.5
Total	100.0	100.0	100.0	100.0	100.0

Source: IGSS.

Infrastructure Investment

Maritime Ports. Guatemala is strategically located with access to the Pacific and Atlantic oceans. There are three main commercial ports: Champerico and Puerto Quetzal in the Pacific, and Santo Tomas de Castilla in the Atlantic.

Airports. To support tourism arrivals and trade by air, Guatemala has three international airports: the Aurora Airport, the Mayan World International Airport (*Aeropuerto Internacional del Mundo Maya*) and the Los Altos International Airport. The Aurora Airport is the main airport for passenger and air cargo traffic, which has been refurbished and expanded to increase its capacity. There are also smaller airports for domestic flights, including the Puerto Barrios, San José and Retalhuleu airfields.

Road Infrastructure. As of the end of 2020, Guatemala had 11,293.3 miles (18,174.8 kilometers) of roads, of which 41.1% are paved, 30.9% are unpaved, and the rest (28.0%) are rural roads. During 2020, growth in the country’s road network of 545.84 km was achieved, representing an increase of 3.1% compared to 2019, the highest growth in the last six years.

Electricity Sector. In 2020, total electricity consumption was approximately 11,027.6 GWh, while total electricity production was 11,122.1 GWh, and the balance was imported through the Regional Electricity Market. Since 2000, Guatemala has been a net exporter of electricity to the region, except from 2010 to 2012, when it was a

net importer. The Ministry of Energy and Mines is promoting policies to transform the generation matrix so that by 2027 at least 80% of all electricity is generated using renewable resources.

Guatemala imposes a social tariff on electricity consumers to subsidize poor families that consume less than 300 kWh, through a program managed by the National Institute for Electrification (*Instituto Nacional de Electrificación*). According to the most recent data available, electricity coverage estimates grew from 85.7% of the population in 2012 to 88.9% of the population in 2018 according to data published by the Ministry of Energy and Mines.

Project Portfolio. Currently there are seven large scale infrastructure projects that are expected to be executed through the public private partnerships program pursuant to Decree No. 16-2010 of the Congress of the Republic and the Law of Partnerships for the Development of Economic Infrastructure. Among these, the project that is most advanced is the construction of the Escuintla to Puerto Quetzal Highway. This project is estimated to cost approximately US\$80 million. On November 30, 2020, the Congress of the Republic scheduled the third reading for the approval of the contract, however, there was no quorum.

In addition, the public private partnerships program includes a number of other projects in earlier phases of development, such as the State Administrative Center, which is a comprehensive project that seeks to provide high-quality services to users and make the work of the public administration more efficient, and the *Metroriel*, which consists of a passenger rail transport system connecting the northern (*Centra Norte*) and southern (*Centra Sur*) parts of the Guatemala City metropolitan area with the city center. The State Administrative Center is in an advanced stage of feasibility studies and, in 2020, the areas to be built were defined with the Institute of Anthropology and History (IDAEH). Additionally, in 2020, construction works for the *Metroriel* started and a complementary study analyzing the feasibility of complementary road works was completed.

The Ministry of Communications, Infrastructure and Housing (*Ministerio de Comunicaciones, Infraestructura y Vivienda*) is also undertaking feasibility studies for two additional projects in the field of public-private partnerships. The first involves the modernization of the *La Aurora* International Airport. The second involves the construction of the *Via Exprés Nororiente* highway, which has undergone pre-feasibility studies.

Also within the portfolio of projects is the construction of the *Puerto Seco Intermodal Tecún Umán II* port. In addition, there is a proposed project for an underground mass public transport system in Guatemala City, for which feasibility studies are being undertaken. The investment required for these projects ranges from US\$40 million for the dry *Puerto Seco Intermodal Tecún Umán II* project to US\$772 million for the *Metroriel* project.

In addition, the Ministry of Communications, Infrastructure and Housing is (i) carrying out the pre-investment study at the feasibility level for the new international *Concesión de la autopista Palín-Escuintla con cobro de peaje* highway and (ii) planning the construction of the Regional Ring (C-50) highway, with an estimated length of 418 kilometers and an estimated investment of US\$2,000.0 million, of which the eastern arc is currently in the planning phase, with a length of approximately 205 kilometers and an investment of US\$1,025.0 million. Another project in the planning process is the construction of a new Belize Bridge with an estimated investment of US\$75.0 million plus the cost of complementary projects.

Several Government-owned projects are also being developed under the public private partnership program, including the *Carretera CA-9 Norte* highway, which runs from Sanarate to El Rancho and was financed with national resources from Guatemala and external financing from Taiwan. In addition, the Republic is currently negotiating with Taiwan regarding the financing of certain other sections of the *Carretera CA-9* highway.

In 2019, the *Libramiento Cabecera Departamental de Chimaltenango*, which extends approximately 15 kilometers from the center of Chimaltenango to the center of El Tejar, was completed with a total investment of approximately Q657.1 million (US\$85.4 million). It is intended to ease urban traffic congestion in these communities.

Government expenditures in projects outside of the public private partnerships program during 2020 was Q17,960.1 million (US\$2,325.8 million), of which Q1,489.2 million (US\$192.8 million) was financed using external sources (loans and bonds issued in the international market), Q5,374.8 million (US\$696.0 million) was financed from domestically issued treasury bonds, and the balance from different internal sources, such as tax revenues.

TRANSPARENCY AND CORRUPTION

The CICIG

The agreement for the establishment of the CICIG was signed in 2006 after a long negotiation process among the State of Guatemala, a coalition of six human rights defense groups in representation of the civil society and the United Nations, in accordance with the commitments made by Guatemala in relation to the Comprehensive Agreement on Human Rights. The CICIG was ratified by Congress in August 2007, by Decree No. 35-2007, after the Constitutional Court issued a favorable advisory opinion. The CICIG was an international and independent organization, created to support, strengthen and assist institutions of the State of Guatemala in the investigation and prosecution of illegal and clandestine security forces groups that have their origin in counterinsurgency groups that were formed during the Republic's internal armed conflict that took place in the second half of the 20th century.

During its existence, the CICIG had three Commissioners. Ivan Velásquez Gómez, who assumed his role in October 2013, was the last Commissioner. The CICIG worked together with the following institutions in the fight against impunity:

- *Public Prosecutor's Office.* As the main institution for criminal investigations in the country, the CICIG collaborated and supported the Public Prosecutor's Office in some of the investigations and criminal processes conducted in Guatemala. This collaboration and support was mainly conducted through the FECCI.
- *The Ministry of Interior.* As the head of all security entities, it coordinates, executes, enforces and supports investigative efforts, injunctions and/or court orders resulting from corruption cases. Since the establishment of the CICIG in Guatemala until September 2018, the CICIG collaborated with the Ministry of Interior in the fight against organized crime structures in Guatemala.
- *Supreme Court of Justice.* As a result of the collaboration, the First Court of Higher Risk "C" was created, which allows high-impact criminal proceedings to progress with greater efficiency and speed, distributing the workload among High Risk Courts "A," "B" and "C."
- *Civil Society.* An open institutional policy towards the civil society permitted analyzing the circumstantial situations of the domestic scene, in order to recognize the problems from different points of view and establish cooperative relations in the diverse fields of work of the Commission.
- *Academic Sector and Think Tanks.* This helped in issues related to the system of justice, electoral financing policy, the country's customs system and the legal reforms necessary to consolidate a Constitutional State. The vision of this sector represented an important source of contribution to the design and execution of the institutional policies of this Commission.
- *Business Sector.* The relationship between the Coordinating Committee of the Agricultural, Commercial, Industrial and Financial Associations and the CICIG was also characterized by multiple bilateral encounters with leaders of different business associations, in order to analyze the national situation and the problems caused by smuggling contraband goods, identifying the criminal structures responsible for these acts, and their possible link with agents of the State.
- *Relationship with donors and international agencies.* The Commission convened numerous productive meetings with diplomatic representatives of foreign governments accredited by Guatemala. It is also relevant to mention that representatives of international organizations exchanged ideas and experiences that strengthened the work of the CICIG, as well as allied activities or third parties interested in supporting the institutionalization of the country. The financial contributions of donor countries were vital, as was the appointment of experts to contribute to the compliance of specific functions within the Commission. The CICIG was funded exclusively through voluntary contributions from the international community to a fund administered by the United Nations Development Program (UNDP). Since its establishment, 17 donors have contributed to financing the functions of the CICIG, including Switzerland; Norway; Finland; Spain; Denmark; The Netherlands; the United States (2007-2017); Germany; Italy; European Commission; Canada; Sweden; Ireland; United Kingdom; Mexico; United Nations Development Program and FOSI (*Fondo de Solidaridad e Inversión Social*). The international community also contributed to the CICIG through the temporary deployment of staff specialized in security and criminal investigation. During the term of the CICIG, the governments of Argentina,

Chile, Colombia, Costa Rica, France, Italy, Spain, Sweden, Switzerland, Peru and Uruguay made such contributions of staff.

Since 2015, the CICIG was involved in the investigations of certain high profile public corruption cases, such as those of former President Otto Pérez Molina and former Vice President Roxana Baldetti and the “*La Línea*” case. On August 30, 2018, the Government announced its decision not to renew the term of the CICIG when it expired on September 3, 2019. In January 2019, the Government issued a decree that purported to unilaterally terminate the agreement that established the CICIG with immediate effect. The Constitutional Court provisionally suspended this decree in response to a constitutional challenge. As of the date of this offering memorandum, the CICIG agreement was not renewed beyond September 3, 2019 and there are no plans to reestablish the CICIG.

Notwithstanding the foregoing, the CICIG’s agreement contemplated as one of its functions the strengthening of the Public Prosecutor’s Office, and the transferring of capacities from the CICIG to the Public Prosecutor’s Office. According to the Government, the Public Prosecutor’s Office has strengthened with the support of the CICIG and it was time to transfer the capacities of the CICIG to local institutions, especially the Public Prosecutor’s Office, which has closely worked with the CICIG in high profile cases in recent years. The transfer of capacities from the CICIG to the Public Prosecutor’s Office took place by September 3, 2019. The Government expects that efforts against corruption will continue under the new administration after the upcoming general elections, with enhanced capacities, including a recently announced new division at the Public Prosecutor’s Office tasked with fighting impunity. International reaction to the decision not to renew the term of the CICIG has been mixed, with some positive reactions and also certain criticism.

After 12 years of being present in the country, on September 3, 2019 the mandate of the CICIG in Guatemala ended. It transferred its capacities to the Public Prosecutor’s Office through the implementation of technology and work methodologies and the incorporation of the FECCI as a permanent prosecutors office within the structure of the Public Prosecutor’s Office. The CICIG withdrew as prosecutor from the criminal proceedings it was participating on, according to the procedural stage of each case, which are now carried out by the Public Prosecutor’s Office, mostly through the FECCI.

Citizens Movement

On April 16, 2015, the CICIG and the Public Prosecutor’s Office filed before the Supreme Court of Justice the case of customs fraud known as “*La Línea*” (the line), a criminal enterprise that involved high ranking government officials. According to the investigation, the members of this criminal organization allegedly controlled the SAT, generating millions of dollars in benefits for the people involved in the scheme. The first phase of the investigation resulted in a series of arrests that included former president Otto Pérez Molina, officials of the SAT, and then Vice President Roxana Baldetti. For more than four months in 2015, there were public demonstrations against corruption throughout Guatemala City and in several provincial capitals.

Recent Developments in Corruption Cases

Investigation of President Morales and his Family

In August 2017, the Public Prosecutor’s Office and the CICIG made public an ongoing investigation into illegal campaign financing of President Morales’ political party. A request was then presented to Guatemala’s Congress for a pre-trial procedure to be initiated. Under Guatemalan Law, the President and other high-rank officials have a right to this procedure prior to stripping away their immunity right, filing a formal accusation and commencing a formal investigation led by the Public Prosecutor’s Office with Judicial support. President Morales maintains immunity against criminal investigation while in office. Such immunity may be removed by a legal procedure prior to start any formal criminal accusation and a formal investigation that would allow the Public Prosecutor’s Office to request Judicial Assistance in order to gather additional evidence.

Congress voted against removing immunity and allowing a formal accusation and corresponding investigation to continue against the President. As of the date of this offering memorandum, Ex-president Morales is not under criminal investigation. Upon leaving office, President Morales lost immunity from criminal investigation or prosecution, including for any acts committed while in office. Nevertheless, on January 14, 2020 he joined the Central American Parliament which, as an acting member, grants him a similar immunity.

President Morales’ brother, Samuel Morales Cabrera, and son, José Manuel Morales, were currently on trial on corruption charges stemming from alleged conduct that took place before President Morales took office. The case started as result of investigations that determined the existence of payroll fraud authorized by the former

General Registrar of Property, Anabella de Leon. The investigation led to fraud allegations against Samuel Morales and José Manuel Morales, specifically for invoicing the amount of Q150,000 to the Public Registry of Property for catering services that were allegedly never provided.

On August 19, 2019, the Divided Thirteenth Criminal Court acquitted José Manuel Morales Marroquín and Samuel Everardo Morales Cabrera, and convicted Anabella de León of embezzlement with a fine of Q5,000.

“La Línea” Case

The evidence collected during the investigation by the CICIG and the Public Prosecutor’s Office confirmed a link between the heads of organized crime and Juan Carlos Monzón Rojas, the private secretary of the then Vice President, Roxana Baldetti. As a result of this investigation during the months of May and June 2015, several government officials, including former Vice President Roxana Baldetti, resigned from their respective offices due to accusations of corruption. On August 21, 2015, former Vice President Baldetti was arrested on charges of conspiracy, fraud and customs fraud, all related to her alleged involvement in the customs corruption racket for which she had previously resigned. On that same day, the Public Prosecutor’s Office, together with the CICIG, filed a request for impeachment against then President Otto Pérez Molina over his alleged involvement in the customs corruption racket. On September 2, 2015, President Otto Pérez Molina resigned from office following the approval by the Guatemalan Congress to strip him of immunity, and an arrest warrant for Pérez Molina was issued on the same day, which led to his arrest.

Salvador González Álvarez (alias “Eco”), testified before the Court of Higher Risk “B,” overseeing high-impact proceedings, that former President Otto Pérez and former Vice President Roxana Baldetti saw the Puerto Quetzal port in the Pacific Ocean as a “gold mine.” Mr. Gonzalez’s testimony detailed how the scheme to defraud the port operated and how proceeds were shared among the conspirators. The CICIG confirmed that the prosecution of the corruption case by Government authorities had been handled in an acceptable manner, including the prosecution of former President Otto Pérez.

On October 27, 2017, the Court of Higher Risk “B,” presided by Judge Miguel Angel Galvez, remanded 28 individuals over for trial, including former President Otto Pérez and former Vice President Roxana Baldetti, who were accused of leading the criminal group known as “*La Línea*,” in which businessmen and former officials of the SAT were involved. In May 2018, the Public Prosecutor’s Office, through the FECCI, obtained from the Court of Higher Risk “B” a resolution to remand former SAT customs officers Byron Linares and Nazario Arana for trial on charges of illegal association, receiving bribes and tax fraud in the “*La Línea*” case.

The Public Prosecutor’s Office reported on November 6, 2019, that in follow-up to “*La Línea*” case, Juan Carlos Monzón Rojas, effective collaborator of the Public Prosecutor’s Office in *La Línea* case, was found to be in possession of several assets resulting from the mixture of licit and illicit capital of State contractors. As a result, he was required to forfeit three vehicles and Q102,613.71.

In 2020, Judge Miguel Angel Gálvez sentenced five persons implicated in the case to three years and four months of commutable imprisonment and a fine of Q33,333.00, and barred them from holding public office positions.

On August 17, 2020, a newspaper article was published stating that on August 12, 2020, the Public Prosecutor’s Office presented a new corruption case linked to *La Línea* case for defrauding the State by approximately Q14.0 million between May 2014 and April 2015 through a structure created to maintain a monopoly and absolute control over the country’s customs. As a result of raids carried out, ephedrine was seized from a company linked to the process, which also led to the opening of an investigation for drug trafficking.

On May 11, 2021, the Court of High Risk B announced that the trial for *La Línea* case, in which there are 30 implicated parties, would begin on January 17, 2022.

The investigation in connection with this case is still ongoing and additional charges may be filed against other individuals.

Co-option of the Government Case

In the context of the “*La Línea*” case, the CICIG and the Public Prosecutor’s Office determined that they were not facing individual acts of corruption, but a criminal network that had co-opted the government and was lead mainly by former President Otto Pérez and former Vice President Roxana Baldetti, using financial schemes that appeared to be legal to commit fraud.

In July 2016, 53 persons were being investigated for fraud as members of this criminal network, including President Otto Pérez, former Vice President Roxana Baldetti, Juan Carlos Monzón Rojas, Roxana Baldetti's private secretary, Héctor Mauricio López Bonilla, former Minister of the Interior, Manuel Augusto López Ambrosio, former Minister of National Defense, and Boris Alberto Linares Juárez, an executive of local construction company Sigma, along with other government officials and businessmen.

According to the FECCI, former Communications Minister Alejandro Sinibaldi would have organized a criminal network within the *Partido Patriota* government, which would have taken advantage of the finances of several public entities. On September 19, 2020, he was indicted in connection with the case "*Cooptación del Estado de Guatemala*" (Cooptation of the State) by the Court of High Risk B.

On October 23, 2020, the Public Prosecutor's Office announced that through the Prosecutor's Office of Extinction of Dominion eight assets valued at more than Q10,000.00 million, linked to former Vice President Roxana Baldetti, were extinguished in favor of the State. Further, it was announced that, based on the investigations carried out, bribes received from State contractors in the form of commissions had been given by Mr. Raúl Osoy Penados in connection with the Cooptation of the State case.

As of the date of this offering memorandum, this proceeding and the trials of these individuals are still ongoing before the Court of Higher Risk "B," which is overseeing high-impact proceedings.

TCQ Cases

The CICIG and the Public Prosecutor's Office commenced an investigation in 2015 against, among others, President Otto Pérez Molina, then Vice President Roxana Baldetti and her private secretary Juan Carlos Monzón Rojas, for the crimes of illicit association, influence peddling, money laundering and fraud in connection with the award of a US\$255.0 million contract to Terminal de Contenedores Quetzal, S.A. ("TCQ") for the construction and operation of a new terminal in Puerto Quetzal. On March 19, 2018, the Court of Higher Risk "B" remanded six individuals for trial in connection with this case.

When the Municipality of Puerto San Jose required TCQ to pay duties of Q24.0 million for the construction licenses of the new terminal, TCQ challenged those payments in court. Douglas Charchal, the magistrate of the Supreme Court hearing the case, allegedly met with Juan Carlos Monzón Rojas and agreed to resolve the case in favor of TCQ. In April 2015, the CICIG and the Public Prosecutor's Office filed a petition against Judge Douglas Charchal, for illicit association and influence peddling. On September 2, 2016, the Court of Higher Risk "B" remanded Judge Douglas Charchal for trial and preventive prison.

On September 18, 2019, judge Miguel Ángel Gálvez sent 14 people to trial, including Gustavo Alejos, former secretary of the presidency, and a number of former officials and businessmen, linked to an unregistered electoral financing case of the Patriot Party. Judge Gálvez also preliminarily closed the case against Jack Irving Cohen for insufficient evidence and gave the FECCI six months to expand the investigation against Cohen. As of the date of this offering memorandum, these cases are still ongoing.

Money Laundering and Policies (The Clearing of Congress)

The CICIG, as part of its mandate, issued a report on "Campaign Finance in Guatemala" as a tool to detect illegal mechanisms used by some political parties to finance their campaigns. On July 15, 2015, the Public Prosecutor's Office filed before the Supreme Court a petition to strip immunity from two members of Congress, Jaime Antonio Martínez Lohaiza and Jesús Manuel Barquín Durán. The investigation began in the second half of 2014 alleging the existence of a scheme based in the Department of Jutiapa since 2009 to engage in money laundering activities with the collaboration of local and national state authorities. The statute of limitations for illegal acts committed by public officials is twice as long as the statute of limitations for private citizens. Within this same case, on September 16, 2016, Edgar Barquín Durán Baltazar, candidate for Vice President of the political party known as LIDER, was sentenced to three years for the crime of influence peddling.

On February 11, 2019, the Court of Higher Risk "A" issued judgments granting between two and 38 years of prison against 13 individuals, including, among others, Francisco Edgar Morales Guerra (also known as "*Chico Dólar*"), a businessman, and Jaime Martínez, a former congressman, who were found guilty of being part of a criminal structure for money laundering.

The Case of the Public Prosecutor's Office against José Isabel Maldonado Castillo

During the investigation of the money laundering case described above, the Public Prosecutor's Office and the CICIG uncovered that, in 2011, former prosecutor José Isabel Maldonado Castillo, while still in the prosecutor's office, dismissed a complaint filed by the Administration for Special Verification (*Intendencia de Verificación Especial*, or "IVE") against Francisco Edgar Morales Guerra (*Chico Dólar*), head of the money laundering conspiracy, for transfers of money without justification for Q937.0 million. On February 11, 2019, Maldonado Castillo was convicted and sentenced to three years and nine months in prison.

Redes Case

This case involves allegations of influence peddling by public officials, a judge and private individuals. The investigation began in 2014 when businessman César Augusto Medina Farfán illicitly brokered business transactions seeking advantages and impunity from public officials such as the Private Secretary of the President of the Republic, Gustavo Martínez, and Carlos Muñoz, former superintendent of the SAT, in connection amending a policy so that the company Z-GAS Centroamericana, S.A. could install a gas deposit in Guatemala, thereby giving economic benefits to Gustavo Martínez through the company Jaguar Energy. Mr. Gustavo Martínez, also the son-in-law of President Otto Pérez, was sentenced to house arrest on January 9, 2016.

Nine people were involved in this case, including former Judge José Luis Patán Piché, who was charged with helping dismiss the proceeding against Muñoz in exchange for two job posts for his relatives, and Muñoz, who was charged with authorizing the exchange of currency for the payment of a policy certificate in favor of Z-GAS Centroamericana, S.A.

On May 25, 2016, the Fifth Court of First Instance for Narcotic Activity and Crimes against the Environment of Guatemala (*Juzgado Quinto de Primera Instancia Penal, Narcoactividad y Delitos contra el Ambiente de Guatemala*), linked Muñoz to crimes of illicit association, influence peddling, and passive and active bribery. Former Judge Patán Piché, was charged with the crime of passive bribery. On August 24, 2016, the Public Prosecutor's Office filed a complaint and requested a public trial to be opened, which is currently pending the outcome of an intermediate hearing. As of the date of this offering memorandum, no new hearings have been scheduled and Mr. Piché's trial is pending.

Health Providers Case

In October 2015, following the arrest of 11 individuals, the FECCI and the CICIG broke up a criminal organization composed of officers and employees of the IGSS, as well as private individuals whose aim was to favor certain medicine suppliers in exchange for kick-backs.

On September 26, 2018, the Eleventh Court of Criminal Judgments convicted members of the board of the IGSS of corruption crimes within the social security system and sentenced them to between three and six years in prison. The Court did not convict some of the accused on the count of illegal association, and granted substitute measures until the judgment is appealed. As of the date of this offering memorandum, this case is ongoing.

The Clearing of the Congress of the Republic (Ghost Positions)

On November 4, 2015, the Eleventh Court of First Criminal Instance determined to send the former congressman and former president of Congress, Pedro Muadi Menéndez, to preventive/provisional prison for his alleged participation in the fraud of job positions in Congress ("ghost positions" network). The judge indicted the former congressman for illicit association, misappropriation of skimmed funds and laundering money and other assets.

The investigation determined that during the period from 2013-2015, one of the collaborators, now in preventive/provisional prison, Claudia María Bolaños Morales (who previously worked as sole administrator of Productos, Servicios y Equipos, S.A., owned by congressman Muadi Menéndez), had her signature registered in 28 bank accounts under the name of fictitious legislative workers (*trabajadores del legislativo*), who earned salaries between Q7,000 and Q20,000 and held positions such as executive secretary, administrative assistant, operative technician and parliamentary guard.

Salaries were deposited into those accounts and withdrawn by Bolaños Morales using checks that were later deposited to accounts of Muadi Menéndez. The account that was most benefitted belongs to his company, into which Q2,927,139 was deposited.

Funds were also deposited into other accounts of Congressman Muadi Menéndez and of several of his employees, including Ximena Toriello Martínez del Rosal, the private secretary of the presidency of Congress, who was also indicted. Accounting records established that between January 2013 and June 2015, approximately Q4,739,740 from the Congressional was paid as salaries to these phantom workers.

In August 2016, application was made to the Criminal Court to ban five congressmen from traveling outside the country without authorization from the court. Preventive measures are in place with respect to former president of Congress, Arístides Baldomero Crespo Villegas, former congressmen, Christian Jacques Boussinot Nuila, Manuel Marcelino García Chutá, César Fajardo Morales (a former judge who resigned from the bench), Carlos Enrique López Girón, Selvin Boanerges García Velásquez, Julio César López Villatoro, and chief of the Municipal Corporation of Chiantla, Huehuetenango, Carlos Armando Alvarado Figueroa.

As successor in the presidency to Crespo Villegas, Luis Armando Rabbé Tejada, who fled the country on August 16, 2016, heading first to Mexico and then to Nicaragua, has been charged with abuse of authority, misappropriation of funds and illegal appointments. The remaining legislators and former congressmen have been charged with abuse of authority, misappropriation of funds under the terms of Management Directives for 2014-2015 and 2015-2016.

The Public Prosecutor's Office released a statement informing the requested temporary imprisonment is a precautionary provision while investigations in which the above-mentioned individuals are allegedly involved are ongoing. The Public Prosecutor's Office is waiting for the judicial authority to issue the appropriate orders before the General Migration Directorship for its compliance.

The Public Prosecutor's Office has requested that Congressmen Cesar Emilio Fajardo Morales and Manuel Marcelino García Chuta, and against former Congressmen Selvin Boanerges García Valásquez and Amílcar Alexander Castillo Roca, be indicted for abuse of authority and misappropriation of funds.

On August 31, 2017, the judge of the Eleventh District of the Criminal Court of First Instance, Jose Eduardo Cojulum, remanded former congressman and President of Congress Pedro Muadi to trial, along with 30 other individuals, who are all accused of forming part of a criminal enterprise to create fake government jobs. Currently, the case is in the process of oral argument before the Criminal Court of the Eighth District.

On March 2, 2020, Pedro Muadi, former President of Congress, was sentenced to 30 years and eight months in prison for illicit association, embezzlement and money laundering. Muadi was convicted of stealing Q4.3 million from people who were hired in the Legislative branch, fined Q4.4 million and banned from holding public office for 50 years.

Case of Influence Peddling by Former Congressman Gudy Rivera Estrada

Former congressman and President of Congress Gudy Rivera Estrada was arrested in March 2016 on charges of influence peddling and active bribery and on October 28, 2016, was sentenced to 13 years and four months of prison for such crimes. On October 28, 2016, the Fifth Court of Criminal Judgment convicted former congressman Gudy Rivera, and the attorney Vernon Gonzalez of trying to bribe the former judge Claudia Escobar, so that she would rule in favor of former Vice President Roxana Baldetti. Mr. Rivera was sentenced to 13 years and four months in prison, and Mr. Gonzalez was sentenced to five years in prison.

Case of Judge Jisela Reinoso Trujillo

In September 2015, at the Eleventh Court of First Criminal Instance, Judge Jisela Yadel Reinoso Trujillo was indicted and ordered to preventive/provisional prison for money laundering, illicit enrichment, non-compliance with the duty of presenting a patrimonial affidavit, and interference in a criminal action.

Judge Reinoso Trujillo was charged with these crimes because her assets exceeded her acquisitive power and were inconsistent with the income she earned as a public servant and teacher. She made a partial payment on a house between May 2013 and July 2014 that exceeded her payment potential based on her income, as demonstrated in her banking records. In addition, her bank records showed that both cash and checks had been deposited in her bank accounts by third parties and some of her assets were paid in part with money that never entered into her bank account. In addition, although Judge Reinoso Trujillo acquired real estate and significantly increased her wealth in the past years, the records of the Comptroller General's Office show only one real estate affidavit dated 2004.

On October 4, 2016, Judge Reinoso Trujillo was sentenced to 11 years in prison: five years for illicit enrichment and six years for laundering money and other assets. In addition, she was fined Q389,435 for money

laundering and Q50,000 for illicit enrichment. She was acquitted of the crime of failing to submit a sworn statement of assets.

The Public Prosecutor's office and the CICIG appealed the acquittal, and the First Chamber of the Court of Appeals of the Criminal Branch upheld the 11 year prison term and reversed Judge Reinoso Trujillo's acquittal on the count of failure to submit a sworn statement of assets. The Chamber also added two more years to Judge Reinoso Trujillo's, for a total of 13 years as her sentence for money laundering and illicit enrichment, and disqualified Judge Reinoso Trujillo from holding public office for the duration of the sentence.

Odebrecht Corruption Case

The United States Department of Justice is investigating Brazilian construction company Odebrecht S.A. (together with its subsidiaries and affiliates, "Odebrecht") for unrecorded payments made between 2001 and 2016, many of which took the form of bribes, to government officials in order to obtain and retain business in 12 countries, including Angola, Argentina, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Mexico, Mozambique, Panama, Peru and Venezuela.

Between 2013 and 2015, Odebrecht made approximately US\$18 million in corrupt payments to government officials in Guatemala to secure public works contracts, and Odebrecht realized benefits of more than US\$34 million as a result of these corrupt payments. According to press reports, the FECCI and the CICIG initiated an investigation into Odebrecht's corrupt activities in Guatemala.

On October 25, 2018, the Public Prosecutor's Office obtained the first conviction in the Odebrecht case, against Juan Jegerlehner, a Guatemalan businessman and the brother-in-law of former Communications Minister Alejandro Sinibaldi. Mr. Sinibaldi is currently a fugitive. The verdict resulted from an abbreviated criminal proceeding before a Court of Higher Risk, where Mr. Jegerlehner accepted his criminal responsibility based on the facts presented by the prosecution. He was convicted of money laundering and sentenced to three years in prison and a fine of US\$100,000.00.

The FECCI's accusations included, among others, that Mr. Sinibaldi directed a network, within the portfolio under his charge, which received illegal bribes in the form of commissions from State contractors in exchange for the cancellation of their carryover debt. He was indicted by the Court of High Risk B on October 7, 2020.

On July 22, 2019, the Court of Major Risk A sentenced Juan Ignacio Florido (Mr. Sinibaldi's collaborator), Juan Manuel Molina Coronado (Mr. Sinibaldi's lawyer) and Jorge Eduardo Antillón Klüssmann (Manuel Baldizón's collaborator), who were found guilty of operating companies through which Mr. Sinibaldi and Manuel Baldizón received bribes from directors of Odebrecht.

The foregoing case also involves Carlos Arturo Batres Gil, a businessman who acted as private secretary to the then Vice-president Roxana Baldetti. Mr. Batres Gil is accused of accepting US\$4.9 million in bribes from Odebrecht. According to the FECCI, Mr. Batres Gil surrendered himself on April 6, 2021 to the Court of High Risk D due to an outstanding arrest warrant. He was sent to provisional detention as a result and his first statement hearing was held on April 20, 2021. On June 7, 2021, he was remanded to prison for the duration of this proceeding, as it was determined that there was enough evidence against him for him to be included in the proceeding, which is pending as of the date of this offering memorandum.

Conspiracy Charges in the United States

On February 24, 2017, the United States Embassy in Guatemala issued a statement detailing that Guatemala's former Vice President Roxana Baldetti and former Minister of the Interior, Mauricio López Bonilla, were charged separately on February 22, 2017 before the United States District Court for the District of Columbia for conspiring to distribute five or more kilograms of cocaine with the intent and knowledge that it would be illegally imported into the United States.

On June 7, 2017, the Public Prosecutor's Office received a formal request for the extradition of former Vice President Roxana Baldetti submitted by the U.S. District Court for the District of Columbia, where she is accused of crimes of criminal association and conspiracy to traffic drugs. On June 15, 2017, the Public Prosecutor's Office filed, before the Secretary of the Supreme Court, a request for the extradition of former Vice President Roxana Baldetti. On June 26, 2017, the Public Prosecutor's Office filed, before the Secretary of the Supreme Court, a request for the extradition of former Minister of Interior Mauricio López Bonilla. On August 30, 2017, Mr. López Bonilla's extradition was authorized, although it is suspended until he is convicted in Guatemala.

Looting of the Public Registry of Property Case

On September 1, 2016, the Public Prosecutor's Office and the CICIG filed an investigation before a court on corruption charges against the General Registrar of Property, Anabella de Leon and 17 other individuals (including, among others, former officers of the Public Registry). As the investigation developed, the list increased to 25 individuals involved, including José Manuel Morales Marroquín, son of current President of the Republic Jimmy Morales, and Mr. Samuel Everardo Morales, brother of the President.

The investigation determined that ghost positions were authorized by the General Registrar of Property, Anabella de Leon, resulting in payments made by Public Registry of Property that amounted Q3.0 million. The investigation also found payments for a total amount of Q150,000 made by the Public Registry of Property for catering services.

The Sixth Judge of First Criminal Instance, Silvia de Leon, remanded 25 individuals for trial on the charges referred to above on May 29, 2017. Judge de Leon also ruled that the case should be tried before a criminal judge, rather than an administrative court, and against the motion to separate the CICIG and the General Comptroller's Office from the process.

On April 3, 2019, the Second Court of Criminal Judgment convicted Gilberto Solórzano Morales, Génesis Daniela Alvarado Xoná and Yoni José Valenzuela Mejía of the crime of misappropriation. Mr. Solórzano and Ms. Alvarado were sentenced to a prison term of nine years and three months, and Ms. Valenzuela was sentenced to 10 years in prison, in each case, plus a fine of Q15,000. Proceedings against other individuals that have not been yet convicted is ongoing.

On August 19, 2019, the Thirteenth Criminal Court, in a divided vote, acquitted José Manuel Morales Marroquín and Samuel Everardo Morales Cabrera. Anabella de León, on the other hand, was convicted for embezzlement and fined Q5,000.

Influence Trafficking Case

Guatemala's Value Added Tax ("VAT") Law requires that exporters that are not able to recover their tax credits because they no longer have a local counterparty, to make a request to the Government for the return of such credits. A considerable backlog for returns of VAT credits exists. Several large companies have been accused of colluding with officials from the SAT with the assistance of intermediaries, including members of Congress, to expedite such payments including the payment of a percentage to the officials and intermediaries involved. Several high level officials from the SAT are subject to criminal proceedings for these cases.

According to the criminal and financial analysis carried out at the time by the Public Prosecutor's Office and the CICIG, based on the documents and information provided by banks from the banking system, it was established that the structure linked to bribes for expediting the processing of tax credit refund files included other external actors, such as client recruiters.

Transurbano Case

Former president Álvaro Colom and part of his cabinet are subject to a criminal proceeding regarding criminal fraud against the Republic when, in 2009, they allegedly authorized a subsidy payment of approximately US\$35 million in favor of the Urban Bus Owners Association (*Asociación de Empresarios de Autobuses Urbano*) for the implementation of a pre-payment system in the new urban buses system for Guatemala City. The case was brought by the FECCI, who was supported by investigations by the CICIG. The criminal proceedings are ongoing and, as of the date of this offering memorandum, the accused are awaiting the judge's determination of whether they will face trial or be acquitted of the criminal charges. A second phase of this case has resulted in the detention of other members of the Urban Bus Owners Association, and other phases have been announced regarding illegal use of governmental subsidies for the operation of the bus system.

In January 2020, the Public Prosecutor's Office summoned former Central American Parliament deputy Roger Haroldo Rodas Melgar, accused of fraud in this case, to make his first statement.

The FECCI presented before the comptroller judge an accusation against Alejandro Jorge Sinibaldi Aparicio for the crime of money laundering. According to the Public Prosecutor's Office, the investigated facts date back to the months of May and June 2010.

Illicit Financing of Political Parties Cases

The Political Parties and Electoral Law (Decree No. 1-85 of the Congress of the Republic) (i) requires political parties to: (a) disclose the identity of the party's contributors; and (b) register all contributions in the books of the party; (ii) in the case of any contribution in an amount exceeding Q30,000.00, requires the submission by the contributor of an affidavit of source of funds; (iii) prohibits the contribution by one person or corporation cannot in excess of 10% of the maximum amount that the party is allowed to spend in the general elections; and (iv) requires all contributions in money to be deposited in the party's bank accounts.

In April 2018, the General Prosecutor's Office filed criminal charges against the UNE, FCN Nación and LIDER political parties breach of these obligations during the 2015 elections. These charges were lodged through the FECCI, supported by investigations by the CICIG, against the General Secretaries of these political parties and some contributors to the political parties during the 2015 general election.

In the case of the political party LIDER, 25 individuals and three legal entities are alleged to have been involved. In January 2019, 19 of them were indicted. Manuel Baldizón remains at large, although he pleaded guilty to money laundering charges in the United States and was sentenced to a prison term of more than four years. In the case of the political party UNE, 21 raids were carried out, resulting in the issuance of 12 arrest warrants and seven summonses to appear. Seven impeachment proceedings were submitted. Sandra Torres was arrested in September 2019 and in January 2020 her detention was changed to house arrest. Criminal proceedings are ongoing and, as of the date of this offering memorandum, certain of the accused are awaiting the judge's determination of whether they will face trial or have their charges dismissed.

Inappropriate Payments for Telecommunications Infrastructure Case

On May 6, 2019, the General Prosecutor's Office, through the FECCI and the CICIG, announced the initiation of pre-trial proceedings against the then Minister of Economy for conduct that allegedly occurred when he was in the private sector at a telecommunications company, as well as against seven members of Congress for inappropriate payments made by that telecommunications company to the Congressmen in exchange for passing legislation that would benefit the company. This legislation was enacted in August 2014. In 2019, the Supreme Court of Justice rejected the impeachments presented against congressmen for lack of evidence.

On November 6, 2019, the Supreme Court rejected the request for pre-trial proceedings against four of the seven members of Congress. On January 14, 2020, the then Minister of Economy lost his privilege to pre-trial proceedings as a result of the change of administration. The Public Prosecutor's Office requested a warrant for his arrest, and as a result, the former Minister of Economy was requested for to personally state a declaration in front of a competent judge, however he did not attend the hearing and an order for arrest was issued. His whereabouts remain unknown as of the date of this offering memorandum.

Investigation of the 2020 Election of Court Magistrates

On February 19, 2020, the Public Prosecutor's Office announced its investigation into the process through which magistrates of the Supreme Court of Justice and judges of Courts of Appeals are selected. The investigation was prompted by allegations that Gustavo Alejos, a political operator who was involved in five corruption cases, was visited by officials and candidates for magistrate positions during the time on which the shortlist of candidates to the various national courts was being selected. Preliminary investigations revealed that Gustavo Alejos violated an injunction imposed on November 15, 2019 by Eva Recinos, a judge who is also a candidate for magistrate, by holding meetings during his stay in a private hospital.

On February 26, 2020, the Constitutional Court reported that "it granted provisional protection in the action filed by the Head of the Public Prosecutor's Office against the Congress of the Republic, due to the certain, real and imminent threat of proceeding to elect Magistrates of the Supreme Court of Justice for the period 2019-2024."

On May 6, 2020, the Constitutional Court informed that a judgment was issued and granted a safeguard in the provisional action, indicating that the standards requested under the Political Constitution of the Republic of Guatemala must be complied with (the persons appointed must be capable and suitable for the position) ordering the Public Prosecutor's Office, Board of Directors of the Congress of the Republic and Deputies of Congress to continue with the process of election of Magistrates to the Supreme Court of Justice and Courts of Appeals with the proceedings and other Collegiate Courts of the same category. They requested that Congress continue with the election process of the Supreme Court and the Court of Appeals magistrates, and others of the same rank, according to applicable law. They requested that in a plenary session, the deputies express their vote out loud indicating the

reasons they consider about the candidates who meet or don't meet the professional and ethical requirements, urging Congress to make viable the constitutional reform process that allows the establishment of an adequate process for the selection and appointment of magistrates.

As a result, the Congress of the Republic approved the "Procedure for the election of Magistrates of the Court of Appeals and other Collegiate Courts of the same category, and of Magistrates of the Supreme Court of Justice, applicable for this one time only," by means of Decree No. 14-2020, which was published and entered into effect on February 3, 2021.

As of the date of this offering memorandum, the election of the magistrates and judges has not been made. As a result, the current magistrates have extended their mandates and will hold their office temporarily until their successors are elected.

Allegations of Bribery Regarding President Alejandro Giammattei and Inclusion of the Head of the Public Prosecutor's Office on the U.S. Undemocratic and Corrupt Actors List

Certain international and national media publications and social media accounts have reported allegations, made by Juan Francisco Sandoval Alfaro, the former head of the FECCI, that Russian businessmen with mining interests in Guatemala paid a bribe to President Alejandro Giammattei with the aim of obtaining a lease of land located in Puerto Santo Tomás de Castilla. President Giammattei has denied these allegations. Mr. Sandoval was removed from his position by the Head of the Public Prosecutor's Office on July 23, 2021. See "Transparency and Corruption—Changes in the FECCI."

On August 30, 2021, Guatemala's Attorney General (*Procurador General de la Nación*) advised Empresa Portuaria Nacional Santo Tomás de Castilla ("EMPORNAC"), the port authority of Puerto Santo Tomás de Castilla, to analyze the appropriateness of the lease requested by the company linked to the Russian businessmen. By means of its Agreement No. 02-A/59-2021, dated as of August 30, 2021, EMPORNAC unanimously rejected the authorization for the lease, which rejection was publicly announced by EMPORNAC on September 1, 2021.

On September 20, 2021, the U.S. Department of State announced through a statement by Secretary of State Antony J. Blinken that María Consuelo Porrás Argueta, the Head of the Public Prosecutor's Office, and Angel Arnoldo Pineda Ávila, Secretary General of the Public Prosecutor's Office, have been included to the Section 353 Undemocratic and Corrupt Actors list, which, among other things, prevents their travel to the United States. The announcement stated that Ms. Porrás Argueta has been included on the list since she has allegedly obstructed investigations into acts of corruption by interfering with criminal investigations in order to protect political allies and gain personal political favor, including by firing Mr. Sandoval.

As of the date of this offering memorandum, no formal accusations have been brought against President Giammattei, nor has any evidence of any such allegations been presented formally in any proceeding. However, the Public Prosecutor's Office has announced that anti-corruption prosecutors have opened an investigation of these allegations, without naming any specific targets of the investigation. If the Public Prosecutor's Office were to initiate formal accusations against the President, an impeachment petition of the President would need to be submitted to the Supreme Court by the Public Prosecutor, which would then be submitted to Congress, given that he is protected from prosecution by presidential immunity. If at any point after such a petition is presented Congress were to determine that there was enough merit and evidence under such impeachment request, a motion would be put forward by Congress with the approval of two-thirds majority of Congress to strip the President of immunity and to allow for the filing of a formal accusation and commencement of the corresponding judicial proceeding. If any such formal accusation were initiated, the President would be entitled, pursuant to the rights afforded to all persons under the Constitution of the Republic of Guatemala, to defend himself in a proceeding conducted in accordance with due process of law and the protection of civil rights.

Other Proceedings

Extrajudicial Executions Case

In November 2018, on hearing the first testimonies of ex-police officers Suhariam Velásco, Axel Martínez, Victor Ruiz and Francisco Guarcas, the Public Prosecutor's Office obtained an indictment of those persons for the crime of extrajudicial executions. The testimonies were the result of an investigation that revealed new information

relating to the extrajudicial executions and torture committed by a criminal enterprise that operated out of the Ministry of the Interior during the period from 2004 to 2007. This case derives from events in 2005, when 19 prisoners escaped from the “El Infiernito” prison. The Ministry of the Interior conducted a search aiming to recapture the fugitives. When they were located, the criminal enterprise, formed by members of the Ministry of the Interior and the PNC, tortured and/or executed the detained fugitives. The Deputy Minister of the Interior Kamilo José Rivera Gálvez remains a fugitive in this case. Rivera is accused of committing extrajudicial executions when he was a member of the PNC Anti-kidnapping Command in 2005.

El Tambor Mine

On December 11, 2018, Daniel W. Kappes and his company, Kappes, Cassidy & Associates filed a suit against the Republic before the International Centre for Settlement of Investment Disputes of the World Bank Group in connection with the mining of US\$300 million in gold and silver. As of the date of this offering memorandum, the process is still pending, and only two of the three arbitrators have been appointed.

On September 10, 2019, the Arbitral Tribunal issued Procedural Order No. 1 addressing certain procedural issues. Between September 27, 2019 and November 22, 2019, the parties filed responses and objections. In October 2019, the La Puya Community filed a motion to be admitted as a non-disputing party. On November 27, 2019, the tribunal issued a ruling scheduling a hearing for December 16, 2019. On January 1, 2020, the arbitral tribunal requested that the parties submit their costs by February 14, 2020. The parties are awaiting the tribunal’s decision regarding preliminary objections.

On July 21, 2020, Daniel W. Kappes and his company, Kappes, Cassidy & Associates filed a claim based mainly on three claims: 1) alleged losses in relation to the Progreso VII Derivative project; 2) loss of value of known exploration potential and exploration opportunity with respect to the Santa Margarita mining project and, 3) alleged seizure of gold concentrate.

On December 8, 2020, the State of Guatemala submitted a brief answering the application. The hearing date was rescheduled from February 28 to March 22, 2021. Currently the amount of the claim ranges between US\$403 and US\$450 million plus interest.

On June 12, 2021, the State of Guatemala submitted a counter-memorial on jurisdiction and a counter-claim and a reply on the merits. The latest development on the case was the issuing of a procedural order by the tribunal regarding confidentiality.

San Rafael Mine

On September 3, 2018, the Constitutional Court suspended two projects in the San Rafael Mine, which holds the world’s second largest silver reserves. It instructed the General Directorate of Mining of the Ministry of Energy and Mines to suspend the extension of the Juan Bosco exploration license. The Constitutional Court ruled that before issuing a new license, the Ministry of Energy and Mines must require that an Environmental Impact Study is submitted and a consultation in accordance to Convention 169 of the International Labor Organization is conducted with the communities settled in the area of influence of the exploration project.

As a result, in compliance with the ruling issued by the Constitutional Court, the Minister of Energy and Mines, MEM, participated, on behalf of the Government of Guatemala, in the second meeting with 54 of 59 authorities of the Parliament of the *Xinka* People of Guatemala, in December 2020. At that meeting, jointly, they conducted a review of compliance with the commitments made by both parties during the meeting held on October 14, 2020. The MEM authorities emphasized that the pre-consultation and consultation phases will be ruled under the principles of good faith, mutual respect, and transparency, without pressure or conditioning of the parties and maintaining respect for the *Xinka cosmovisión* and culture.

The Ministry of Energy and Mines launched on April 4, 2021 the call to hold the first meeting of the pre-consultation roundtable related to *El Escobal* project, owned by Minera San Rafael, on April 20, 2021, in compliance with the ruling issued by the Constitutional Court.

The Ministry of Energy and Mines reported that the first pre-consultation meeting with the *Xinka* indigenous people had been rescheduled for May 21, 2021, due to measures taken by the Government to contain the COVID-19 pandemic affecting the country. The consultation will be held at the headquarters of the Parliament of the *Xinka* People of Guatemala, in Santa Rosa. This will be the first official meeting of the pre-consultation process, it is expected that the consultation process, together with the phase of information delivery and intercultural dialogue

can be carried out in a period of four to six months. On June 30, 2021, the Ministry of Energy and Mines informed that the pre-consultation process was advancing as expected.

Developments in Transparency by the Ministry of Public Finance

The Fiscal Transparency Agenda was institutionalized in the Ministry of Public Finance through the creation of the Vice Ministry of Fiscal Transparency and State Acquisitions and the Directorate of Fiscal Transparency. The Ministry of Public Finance, with the coordination and monitoring of the Directorate of Fiscal Transparency, and through its corresponding agencies, carries out a series of actions that contribute directly the achievement of the presidential goals related to fiscal transparency, accountability, citizen participation and free access to public information. Among such actions are the preparation of the Fiscal Transparency Strategy of the Ministry of Public Finance, which was approved by Ministry Agreement 82-2019, which provides for the application of international good practices and mechanisms in matters of fiscal transparency. In addition, work is being done to comply with the guidelines and standards established by several international initiatives or mechanisms.

For example, as part of the modernization of public management, progress has been made in respect of (a) the institutionalization of the topic of open government, (b) reporting of specific tax risks, (c) an open data portal and fiscal transparency of the Ministry of Public Finance, (d) the improvement of Guatemala's ranking on the Open Budget Index, (e) the institutionalization of the fiscal transparency agenda within the ministry of public finance, (f) the implementation of the system of transfers, subsidies and subsidies, (g) the implementation of the system of quality management and (h) the coordination of an anti-bribery management system through the fiscal transparency department.

In January 2019, the Fiscal Transparency Strategy of the Ministry of Public Finance was presented and approved in February of the same year, through the Ministerial Agreement 82-2019. This strategy corresponds to the referential framework for the generation and dissemination of information on fiscal matters, through which accountability is promoted through fiscal transparency for the public sector, pursuing: (a) promoting transparency and surrender of accounts through the implementation of good practices; (b) make available to people understandable, timely information, in open formats, with quality and relevance; (c) promote a rapprochement with citizens; (d) boost the tax culture; and (e) comply with various international commitments.

In addition, the Government is working to comply with the guidelines and standards established by several international initiatives or mechanisms, including, among others:

- Formulation and execution of National Plans of Open Government Action, under the principles and methodology of the Open Government Partnership;
- IMF's Fiscal Transparency Code;
- Evaluation of the Open Budget Index of the International Budget Partnership;
- Tax transparency guidelines of the Global Initiative for Fiscal Transparency;
- the Infrastructure Transparency Initiative;
- Public Expenditure and Financial Accountability;
- Extractive Industries Transparency Initiative;
- Stolen Asset Recovery Initiative;
- Standard of the Global Forum on Transparency and the Exchange of Information for Tax Purposes of the Organization for Economic Co-operation and Development;
- Open Contracting Data Standard of the Open Contracting Partnership;
- Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption; and
- United Nations Convention against Corruption.

In addition, the Directorate of Fiscal Transparency carries out the coordination, elaboration and application of regulations, mechanisms and guidelines on fiscal transparency that promote the availability of budgetary and

economic information and the easy access to it by the public and in open formats; and the coordination of the exchange of information with other entities for the promotion of fiscal transparency, the coordination of technical roundtables on issues of fiscal transparency with civil society and other functions within the scope of the responsibilities of the Ministry of Public Finance.

On October 16, 2020, the Ministry of Public Finance announced that the Vice-Ministry of Fiscal Transparency and State Procurement, through the Vice-Ministry of Fiscal Transparency and State Procurement, would conduct an Institutional Diploma Course called “Good Governance for a Culture of Transparency.”

In March 2021, the Ministry of Public Finance reported on the implementation of new transparency portals focusing on External Loans and Trusts, as well as the renovation and strengthening of the Budget Transparency and NGO portals.

Constitutional Court Law relating to NGOs

In February 2020, Congress approved Decree No. 4-2020 which introduced reforms to the Law for Non-Governmental Organizations for Development (*Ley de Organizaciones No-Gubernamentales para el Desarrollo*) (Decree No. 2-2003) which regulates the creation and functioning of non-governmental organizations, as well as to certain related areas of the Civil Code (Executive Order Number 106 of the Head of Government). This decree generated a public debate regarding the scope of the regulations approved as well as potential constitutional violations. Several appeals were filed by Congressmen and organizations such as (Civil Association for Citizen Action, CONAVIGUA, the Maya Uk'ux B'e Association, CALDH, the Myrna Mack Foundation, the Association of Women Transforming the World, Unit for the Protection of Human Rights Defenders (a Guatemalan non-governmental organization or NGO), the Association of Development Entities and Non-Governmental Services of Guatemala.

The Constitutional Court, acting under its capacity as Extraordinary Court of Protection, agreed to hear the claims and evaluate the constitutional challenges and review the approval of Decree No. 4-2020, among other matters. The matters at issue include the violation of the rights of freedom of association, freedom of action, legal certainty, legislative due process, freedom of speech or thought and citizen participation. In the context of its power of protection (*amparo*), the Constitutional Court granted the provisional relief requested by the claimants and suspended the reforms to the Law on Non-Governmental Organizations. Congress filed for a delay of the proceedings, which the Constitutional Court found to not have merit.

In a press release dated March 2, 2020, the Constitutional Court reported that it found that upholding the validity of the decree represented a human rights violation and therefore it suspended the act of approval of Legislative Decree No. 4-2020 that reforms the Law of Non-Governmental Organizations for Development, as well as any act taken pursuant to it.

However, on March 5, 2020, by means of a press release, the Constitutional Court granted the request for clarification presented by the Congress of the Republic in relation to the provisional safeguard.

Judge Mynor Mauricio Moto Morataya

On January 15, 2021, the Constitutional Court ordered that the General Assembly of the College Association of Lawyers and Notaries of Guatemala hold a meeting to elect the incumbent magistrate of the Constitutional Court, who would serve for the 2016-2021 constitutional term.

On January 19, 2021, the College Association of Lawyers and Notaries of Guatemala elected Judge Mynor Mauricio Moto Morataya as magistrate of the Constitutional Court. He was sworn in with the vote of 82 deputies of the Congress of the Republic on January 26, 2021; however, several organizations and individuals filed legal actions against such election. On January 28, 2021, the Constitutional Court announced that a total of 11 complaints had been filed in relation to the election process of Judge Moto as the incumbent magistrate of the Constitutional Court. As a result, the Public Prosecutor's Office requested the removal of Judge Moto's immunity due to his potential connection with the cases *Bufete de la Impunidad*, *Libramiento de Chimaltenango* and *Comisiones Paralelas 2020*. On February 4, 2021, the Constitutional Court announced that it had annulled the Decree No. 6-2021 through which the Congress of the Republic had sworn in Judge Moto.

According to the FECCI, the Court of High Risk D, which heard the case *Comisiones Paralelas 2020*, granted an arrest warrant against Judge Moto. Judge Moto filed actions to cancel such arrest warrant, however, it remained in force. Judge Moto is currently a fugitive who has lost the judicial immunity that is granted to judicial

officers, as the Supreme Court of Justice has resolved. This resolution was reached after considering the conclusions set forth in the reports that were submitted by the Judicial Career Council.

On March 17, 2021, the *Comisiones Paralelas 2020* case was resumed by the Court of High Risk D with the hearing of the first declaration, in which the FECI determined the potential manipulation of the election process of the magistrates of the Courts of Justice.

As of the date of this offering memorandum, the FECI continues carrying out the necessary actions to enforce the arrest warrant against Judge Moto. The judicial records are kept by the Court of High Risk D, which decreed that they are classified.

Changes in the FECI

Special Prosecutor Juan Francisco Sandoval Alfaro was appointed as head of the FECI before his departure from the CICIG and was responsible for the investigation and prosecution of several high-profile corruption-related cases. He was removed from his position on July 23, 2021 by the Head of the Public Prosecutor's Office, María Consuelo Porrás Argueta. As a result, Carla Isidra Valenzuela was temporarily named as head of the FECI, and on August 3, 2021, the Head of the Public Prosecutor's Office named Rafael Curruchiche as the definite head of the FECI.

Mr. Sandoval filed a constitutional challenge against his removal alleging that internal procedures and guarantees had been violated. Additionally, another constitutional challenge was filed against the directive that incorporated the FECI as a permanent prosecutor's office and, as of the date of this offering memorandum, is pending resolution. There have been significant disagreements and public opposition regarding the removal and subsequent appointment of substitute prosecutors. As a result, some backlash continues as of the date of this offering memorandum. Furthermore, on July 27, 2021, the United States, through the deputy spokeswoman for the U.S. State Department, announced that it would pause cooperation with the Guatemalan Public Prosecutors Office as a result of Mr. Sandoval's dismissal as head of the FECI.

BALANCE OF PAYMENTS AND FOREIGN TRADE

Balance of Payments

The balance of payments is used to record the value of the transactions carried out between a country's residents and the rest of the world, and is composed of the current account and the capital account.

Current Account

The current account consists of:

- the trade balance (the difference in value of exports minus imports);
- net services;
- primary income; and
- secondary income.

From 2016 to 2020, the current account fluctuated between a surplus of 1.0% and a surplus of 5.5% of GDP, representing an average surplus of 2.2% of GDP during the period. In 2016, a surplus in the current account of 1.0% of GDP was recorded as a result of a reduction in imports and exports combined with growing remittances. In 2017, a surplus in the current account of 1.2% of GDP was reported, mainly due to remittances (14.4%). In 2018, a surplus in the current account of 0.9% of GDP was reported, which was due to growth in remittances (13.4%), partially offset by an increase in imports (7.2%). In 2019, a surplus in the current account of 2.3% of GDP was reported, which was due to a 13.1% growth in remittances. In 2020, the current account registered a surplus of 5.5% of GDP, due to a 7.9% growth in remittances and a 8.1% reduction of imports.

The surplus in the net balance of services from 2016 to 2019 was caused mainly by the performance of manufacturing services, other services and travel, which grew as a result of growing of incoming of tourists. In 2020, there was a deficit caused mainly by the contraction of the transportation, insurance and pensions services, and financial services.

The primary income balance has been persistently showing deficit mainly as a result of payments on external public debt, as well as the remittance of profits and dividends by foreign firms.

Capital Account

The capital account reflects foreign direct investment and monetary flows into and out of a nation's financial markets.

Financial Account

Between 2016 and 2020, the balance of the financial account was driven mainly by inflows of both public and private capital, including public sector loans (to meet capital expenditures), foreign direct investment (mainly due to profit reinvestment, as a result of an improved business climate), and increases in the private sector's external liabilities (encouraged by greater liquidity abroad). Those flows provided resources to finance the current account.

The following table sets forth information regarding the Republic's balance of payments for the years indicated.

Balance of Payments
(in millions of US\$)

	For the year ended December 31,				
	2016	2017 ⁽¹⁾	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽¹⁾
Current account⁽³⁾:					
Trade balance:					
Exports (FOB):					
Traditional.....	2,481.9	2,839.8	2,675.1	2,932.2	3,217.1
Non-traditional.....	6,490.6	6,810.7	6,968.6	6,986.3	7,297.4
Total exports.....	8,972.5	9,650.5	9,644.0	9,918.5	10,514.5
Imports (FOB).....	(15,049.6)	(16,442.0)	(17,628.8)	(17,885.4)	(16,441.2)
Trade balance.....	(6,077.1)	(6,791.5)	(7,984.9)	(7,966.9)	(5,926.7)
Services balance ⁽²⁾	222.2	291.5	165.7	49.4	(250.3)
Primary income (net).....	(1,425.3)	(1,501.1)	(1,506.5)	(1,411.6)	(1,398.3)
Current transfers:					
Remittances.....	7,259.6	8,290.8	9,314.5	10,536.4	11,290.1
Foreign aid.....	385.6	274.4	305.9	298.9	315.9
Other.....	272.1	293.0	327.6	285.0	218.2
Total current transfers, net.....	7,917.4	8,858.2	9,948.0	11,120.3	11,824.3
Total current account.....	637.3	857.1	622.3	1,791.1	4,249.0
Capital and financial account⁽⁴⁾:					
Capital account.....	0.3	0.4	0.5	0.7	—
Financial account:					
Bank of Guatemala.....	70.0	13.5	(58.2)	(10.4)	3.4
Public sector.....	(456.2)	(73.7)	87.2	(724.8)	(1,318.2)
Bonds, net.....	(622.4)	(465.0)	49.9	(1,046.6)	(1,200.0)
Loans.....	166.2	391.3	37.2	321.8	(118.2)
Disbursements.....	(2.5)	51.9	100.1	16.1	20.5
Amortization.....	(168.7)	(339.4)	62.9	(305.7)	138.7
Private sector, net:					
Foreign direct investment, net.....	(965.0)	(934.1)	(777.9)	(799.4)	(704.5)
Portfolio investment, net.....	12.0	(333.9)	(31.4)	19.6	(12.7)
Other investment, net.....	281.6	(866.3)	52.2	745.2	2,282.4
Total financial account.....	(1,057.6)	(2,194.5)	(728.0)	(769.9)	250.4
Errors and omissions.....	(271.2)	(451.6)	(363.0)	(763.6)	(810.1)
Change in reserve assets.....	1,424.0	2,600.4	987.9	1,798.2	3,188.5
Current account balance (as a % of GDP).....	1.0%	1.2%	0.9%	2.3%	5.5%

(1) Preliminary data.

(2) Includes net financial income/expense, tourism and other income and expenses.

(3) Due to rounding, totals may not correspond to the sum of all figures shown.

Source: Bank of Guatemala.

Foreign Trade

Guatemala's external trade has been characterized by the export of agricultural commodities and the import of raw materials, consumer and capital goods, and intermediate products.

The following tables present the exports by type of product, certain information of Guatemala's principal exports, and exports classified by destination for the years indicated.

Exports (FOB) by Type of Product⁽¹⁾
(in millions of US\$ and as % of total exports)

	For the year ended December 31,									
	2016		2017		2018		2019 ⁽²⁾		2020 ⁽²⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
Traditional:										
Coffee.....	649.1	6.2	748.0	6.8	679.9	6.2	662.4	5.9	650.5	5.6
Sugar	816.7	7.8	825.0	7.5	632.9	5.8	694.6	6.2	576.8	5.0
Bananas.....	702.6	6.8	781.6	7.1	804.0	7.3	831.9	7.5	813.1	7.1
Oil	84.5	0.8	118.6	1.1	124.9	1.1	101.2	0.9	49.1	0.4
Cardamom.....	229.0	2.2	366.6	3.4	433.4	4.0	646.9	5.8	1,134.4	9.9
Total traditional.....	<u>2,481.9</u>	<u>23.8</u>	<u>2,839.8</u>	<u>25.9</u>	<u>2,675.1</u>	<u>24.4</u>	<u>2,937.0</u>	<u>26.3</u>	<u>3,223.9</u>	<u>28.0</u>
Non-traditional:										
Exports outside of Central America:										
Chemical products.....	344.8	3.3	313.3	2.9	330.0	3.0	335.6	3.0	349.3	3.0
Vegetables.....	213.8	2.1	232.4	2.1	275.5	2.5	266.6	2.4	291.6	2.5
Fruits and preparations	599.2	5.7	620.4	5.6	632.2	5.8	636.6	5.7	590.5	5.1
Natural rubber.....	112.7	1.1	159.1	1.4	133.2	1.2	129.7	1.2	133.2	1.2
Flowers and plants.....	97.6	0.9	105.6	1.0	115.5	1.1	115.1	1.0	111.8	1.0
Sesame seeds.....	24.1	0.2	32.9	0.3	32.7	0.3	33.7	0.3	35.6	0.3
Processed foods.....	594.4	5.7	701.7	6.4	714.8	6.5	650.3	5.8	774.7	6.7
Shrimp, fish and lobster.....	55.5	0.5	74.6	0.7	78.2	0.7	63.6	0.6	74.9	0.7
Other ⁽³⁾	<u>2,816.9</u>	<u>27.0</u>	<u>2,736.1</u>	<u>24.9</u>	<u>2,630.4</u>	<u>24.0</u>	<u>2,639.1</u>	<u>23.6</u>	<u>2,486.8</u>	<u>21.6</u>
Total non-traditional exports to countries outside of Central America	<u>4,859.0</u>	<u>46.5</u>	<u>4,976.1</u>	<u>45.3</u>	<u>4,942.6</u>	<u>45.1</u>	<u>4,870.3</u>	<u>43.6</u>	<u>4,848.4</u>	<u>42.1</u>
Exports to Central America ⁽⁴⁾	<u>3,108.4</u>	<u>29.7</u>	<u>3,166.5</u>	<u>28.8</u>	<u>3,351.9</u>	<u>30.5</u>	<u>3,362.3</u>	<u>30.1</u>	<u>3,441.0</u>	<u>29.9</u>
Total non-traditional.....	<u>7,967.4</u>	<u>76.2</u>	<u>8,142.6</u>	<u>74.1</u>	<u>8,294.5</u>	<u>75.6</u>	<u>8,232.6</u>	<u>73.7</u>	<u>8,289.4</u>	<u>72.0</u>
Total exports	<u>10,449.3</u>	<u>100.0</u>	<u>10,982.4</u>	<u>100.0</u>	<u>10,969.6</u>	<u>100.0</u>	<u>11,169.6</u>	<u>100.0</u>	<u>11,513.3</u>	<u>100.0</u>

- (1) Total exports in the Balance of Payments differs from the total exports presented in this table since these amounts do not include goods acquired in ports.
- (2) Preliminary data.
- (3) Includes honey, tobacco, clothing, textiles, wood and glass.
- (4) Excludes amounts corresponding to traditional products.

Source: Bank of Guatemala.

Volume and Price of Leading Exports⁽¹⁾

	For the year ended December 31,				
	2016	2017	2018	2019	2020 ⁽²⁾
Coffee export volume (thousands of <i>quintales</i>).....	4,007.0	4,484.5	4,536.5	4,762.8	4,149.5
Coffee export price (US\$/ <i>quintal</i>).....	162.00	166.80	149.88	139.08	156.76
Sugar export volume (thousands of <i>quintales</i>).....	45,803.6	41,962.0	36,600.8	44,735.5	36,548.3
Sugar export price (US\$/ <i>quintal</i>).....	17.83	19.66	17.29	15.33	15.78
Banana export volume (thousands of <i>quintales</i>).....	47,498.7	51,992.7	52,350.6	53,015.6	52,154.7
Banana export price (US\$/ <i>quintal</i>).....	14.79	15.03	15.36	15.69	15.59
Oil export volume (thousands of barrels per year).....	2,970.5	2,874.2	2,260.0	1,964.6	1,399.7
Oil price (US\$/barrel).....	28.44	41.25	55.28	51.49	35.06
Cardamom export volume (thousands of <i>quintales</i>).....	786.3	785.2	808.2	798.9	1,434.3
Cardamom export price (US\$/ <i>quintal</i>).....	291.24	466.88	536.30	809.77	790.90

- (1) Price is the yearly average considering the various qualities of each product.

- (2) Preliminary data.

Source: Bank of Guatemala.

Geographic Distribution of Exports (FOB)⁽¹⁾
(in millions of US\$⁽²⁾ and as % of total exports)

	For the year ended December 31,									
	2016		2017		2018		2019		2020 ⁽³⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
North America:										
United States.....	3,453.4	33.0	3,707.1	33.8	3,845.5	35.1	3,601.6	32.2	3,475.9	30.2
Mexico.....	458.5	4.4	510.4	4.6	507.6	4.6	553.2	5.0	461.3	4.0
Canada.....	359.7	3.5	228.6	2.1	164.2	1.5	224.0	2.0	199.2	1.7
Total North America...	4,271.6	40.9	4,446.1	40.5	4,517.3	41.2	4,378.8	39.2	4,136.4	35.9
Central America:										
Costa Rica.....	425.7	4.1	423.3	3.9	429.4	3.9	429.5	3.8	447.7	3.9
El Salvador.....	1,204.4	11.5	1,216.5	11.1	1,335.1	12.2	1,384.0	12.4	1,314.1	11.4
Honduras.....	913.9	8.7	967.9	8.8	1,050.4	9.6	1,003.7	9.0	1,023.6	8.9
Nicaragua.....	569.1	5.5	562.2	5.1	540.5	4.9	549.8	4.9	662.4	5.7
Total Central America	3,113.1	29.8	3,169.9	28.9	3,355.4	30.6	3,367.0	30.1	3,447.8	29.9
South America:										
Argentina.....	4.7	0.1	3.1	—	3.9	—	2.6	—	1.8	—
Brazil.....	36.0	0.4	37.4	0.4	44.3	0.4	32.0	0.3	40.4	0.4
Colombia.....	54.0	0.5	62.2	0.6	35.9	0.3	42.5	0.4	43.2	0.4
Ecuador.....	22.4	0.2	43.7	0.4	53.5	0.5	52.2	0.5	46.9	0.4
Venezuela.....	35.3	0.3	14.1	0.1	42.5	0.4	23.2	0.2	12.3	0.1
Other South America.....	154.4	1.5	197.0	1.7	188.4	1.7	172.6	1.5	160.9	1.4
Total South America...	306.8	3.0	357.5	3.3	368.5	3.3	325.1	2.9	305.5	2.7
Europe:										
France.....	20.5	0.2	28.3	0.3	33.2	0.3	29.5	0.3	29.8	0.3
Germany.....	147.8	1.4	142.0	1.3	110.8	1.0	105.5	0.9	116.9	1.0
Italy.....	119.9	1.1	154.3	1.4	147.7	1.3	204.9	1.8	201.4	1.7
Netherlands.....	307.6	3.0	354.8	3.2	356.6	3.3	296.9	2.7	342.0	3.0
Spain.....	73.7	0.7	86.4	0.8	151.2	1.4	158.5	1.4	197.7	1.7
United Kingdom.....	105.8	1.0	97.2	0.9	77.7	0.7	98.8	0.9	79.9	0.7
Other EU.....	166.1	1.6	138.7	1.2	127.4	1.2	143.7	1.3	116.5	1.0
Total EU.....	941.4	9.0	1,001.7	9.1	1,004.6	9.2	1,037.8	9.3	1,084.2	9.4
Other Europe.....	67.6	0.7	75.8	0.7	68.7	0.6	43.8	0.4	92.4	0.8
Total Europe.....	1,009.0	9.7	1,077.5	9.8	1,073.3	9.8	1,081.6	9.7	1,176.6	10.2
Asia:										
Japan.....	168.6	1.6	150.7	1.4	114.6	1.1	123.7	1.1	165.2	1.4
Saudi Arabia.....	73.2	0.7	110.6	1.0	124.9	1.1	191.1	1.7	318.7	2.8
South Korea.....	122.9	1.2	98.7	0.9	69.3	0.6	46.4	0.4	85.1	0.7
Taiwan.....	74.0	0.7	76.5	0.7	55.2	0.5	57.8	0.5	65.1	0.6
Other Asia.....	379.6	3.6	485.8	4.4	357.6	3.3	650.0	5.9	888.2	7.7
Total Asia.....	818.3	7.8	922.3	8.4	721.6	6.6	1,069.0	9.6	1,522.3	13.2
Africa:										
South Africa.....	5.5	—	24.3	0.2	5.1	—	5.7	0.1	4.9	0.1
Other Africa.....	229.0	2.2	232.0	2.1	148.1	1.4	193.9	1.7	222.8	1.9
Total Africa.....	234.5	2.2	256.3	2.3	153.2	1.4	199.6	1.8	227.7	2.0
Oceania:										
Australia.....	9.0	0.1	11.7	0.1	13.1	0.1	13.9	0.1	13.2	0.1
New Zealand.....	2.6	—	13.9	0.1	39.9	0.4	32.8	0.3	21.2	0.2
Total Oceania.....	11.6	0.1	25.6	0.2	53.0	0.5	46.7	0.4	34.4	0.3
Other⁽⁴⁾.....	684.4	6.5	727.2	6.6	727.3	6.6	701.9	6.3	662.6	5.8
Total.....	10,449.3	100.0	10,982.4	100.0	10,969.6	100.0	11,169.6	100.0	11,513.3	100.0

(1) Total exports in the Balance of Payments differs from the total exports in this table because these amounts do not include goods acquired in ports.

(2) The discrepancy between main aggregates and the sum of its components is due to rounding.

(3) Preliminary data.

(4) Includes the Dominican Republic, Netherlands Antilles, Panama and Puerto Rico.

Source: Bank of Guatemala.

The country's exports in 2018 were mainly destined for North America (41.2%), Central America (30.6%), Europe (9.8%), and Asia (6.6%). The EU-Central America Association Agreement (ADA) has increased our aggregate export volumes to Europe, also its relative importance as a destination for the country's export products has improved. In 2018, raw materials and intermediate goods accounted for 32.6% of exports, consumer goods accounted for 31.5%, capital goods accounted for 16.8%, and mineral fuels and lubricants accounted for 16.5%.

In 2019, exports were mainly destined for North America (39.2%), Central America (30.1%), Europe (9.7%), and Asia (9.6%). In 2019, the consumer goods accounted for 32.3% of import, raw materials and intermediate goods accounted for 31.3%, capital goods accounted for 17.5%, and mineral fuels and lubricants accounted for 16.3%.

In 2020, exports were mainly destined for North America (35.9%), Central America (29.9%), Europe (10.2%), and Asia (13.2%). In 2020, the consumer goods accounted for 33.3% of import, raw materials and intermediate goods accounted for 34.0%, capital goods accounted for 18.3%, and mineral fuels and lubricants accounted for 11.7%.

The table below presents imports classified by products.

Imports (CIF) by Type of Product⁽¹⁾
(in millions of US\$⁽²⁾ and as % of total imports)

	For the year ended December 31,									
	2016		2017		2018		2019		2020 ⁽²⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
Raw materials and intermediate goods:										
Agriculture.....	486.5	2.9	526.2	2.9	596.6	3.0	585.0	2.9	643.9	3.6
Manufacturing.....	4,933.1	29.0	5,303.3	28.8	5,822.7	29.6	5,636.9	28.4	5,539.8	30.4
Total raw materials and intermediate goods.....	5,419.6	31.9	5,829.5	31.7	6,419.3	32.6	6,221.9	31.3	6,183.7	34.0
Consumer goods:										
Durable ⁽³⁾	2,577.1	15.2	2,646.5	14.4	2,668.2	13.5	2,732.9	13.8	2,291.2	12.6
Non-durable.....	3,201.9	18.8	3,273.2	17.8	3,533.3	18.0	3,681.8	18.5	3,780.3	20.7
Total consumer goods..	5,779.0	34.0	5,919.6	32.2	6,201.4	31.5	6,414.7	32.3	6,071.5	33.3
Capital goods:										
Manufacturing,										
telecommunications and										
construction.....	2,478.8	14.6	2,617.7	14.2	2,636.8	13.4	2,798.7	14.0	2,686.6	14.8
Transportation.....	512.8	3.0	705.4	3.8	581.8	3.0	614.4	3.1	553.8	3.0
Agriculture.....	87.0	0.5	87.6	0.5	85.1	0.4	85.1	0.4	84.8	0.5
Total capital goods.....	3,078.6	18.1	3,410.7	18.5	3,303.7	16.8	3,498.2	17.5	3,325.1	18.3
Mineral fuels and lubricants	2,290.2	13.5	2,793.7	15.2	3,238.0	16.5	3,235.7	16.3	2,125.2	11.7
Construction materials.....	434.9	2.5	432.7	2.4	477.3	2.4	510.6	2.6	500.6	2.7
Other.....	0.5	—	3.9	—	34.7	0.2	0.6	—	0.5	—
Total imports.....	17,002.8	100.0	18,390.2	100.0	19,674.4	100.0	19,881.7	100.0	18,206.6	100.0

(1) Total imports in the Balance of Payments differ from the total imports of this table since these amounts include goods acquired in ports and because in this table those are valued Cost, Insurance and Freight (CIF) while in Balance of Payments they are valued Free on Board (FOB).

(2) Preliminary data.

(3) This category includes semi-durable products.

Source: Bank of Guatemala.

The table below presents the geographic origin of imports. In 2018, North America was the most important source of imports (accounting for 49.3%), followed by Asia (accounting for 20.1%), and Central America (accounting for 11.7%). In 2019, North America was the most important source of imports (accounting for 48.5%), followed by Asia (accounting for 20.1%), and Central America (accounting for 11.8%). In 2020, North America was the most important source of imports (accounting for 46.7%), followed by Asia (accounting for 22.0%), and Central America (accounting for 12.6%).

Geographic Distribution of Imports (CIF)⁽¹⁾
(in millions of US\$⁽²⁾ and as % of total imports)

For the year ended December 31,

	2016		2017		2018		2019		2020 ⁽³⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
North America:										
United States.....	6,521.2	38.4	7,317.6	39.8	7,466.1	38.0	7,361.5	37.0	6,276.0	34.5
Mexico.....	1,942.9	11.4	1,964.5	10.7	2,133.5	10.8	2,192.5	11.0	2,124.4	11.7
Canada.....	90.7	0.5	86.5	0.4	102.4	0.5	87.8	0.5	94.4	0.5
Total North America.....	8,554.8	50.3	9,368.6	50.9	9,702.0	49.3	9,641.8	48.5	8,494.8	46.7
Central America:										
Costa Rica.....	595.5	3.5	610.4	3.3	658.1	3.4	691.3	3.5	688.5	3.8
El Salvador.....	902.8	5.3	972.2	5.3	1,025.1	5.2	1,034.6	5.2	974.6	5.3
Honduras.....	331.6	2.0	384.1	2.1	448.4	2.3	479.3	2.4	492.3	2.7
Nicaragua.....	120.7	0.7	128.2	0.7	159.6	0.8	147.8	0.7	143.5	0.8
Total Central America.....	1,950.6	11.5	2,094.9	11.4	2,291.2	11.7	2,353.0	11.8	2,298.9	12.6
South America:										
Argentina.....	80.0	0.5	151.1	0.8	126.4	0.6	145.9	0.7	132.6	0.7
Brazil.....	215.1	1.3	287.6	1.6	267.4	1.4	321.8	1.6	293.5	1.6
Colombia.....	377.0	2.2	400.5	2.2	527.7	2.7	586.8	3.0	408.8	2.2
Ecuador.....	50.6	0.3	59.5	0.3	68.8	0.3	89.9	0.5	45.8	0.3
Venezuela.....	18.0	0.1	18.6	0.1	38.2	0.2	22.2	0.1	49.8	0.3
Other.....	281.6	1.6	283.9	1.5	334.8	1.7	335.9	1.7	344.2	1.9
Total South America.....	1,022.3	6.0	1,201.2	6.5	1,363.3	6.9	1,502.5	7.6	1,274.7	7.0
Europe:										
France.....	75.9	0.4	86.9	0.5	87.1	0.5	75.1	0.4	56.6	0.3
Germany.....	280.7	1.7	298.5	1.6	275.8	1.4	301.8	1.5	269.2	1.5
Italy.....	132.6	0.8	154.9	0.9	152.6	0.8	133.7	0.7	119.9	0.7
Netherlands.....	94.1	0.5	96.3	0.5	113.8	0.6	98.9	0.5	109.1	0.6
Spain.....	264.6	1.6	276.1	1.5	322.5	1.6	264.6	1.3	253.6	1.4
United Kingdom.....	39.0	0.2	39.9	0.2	45.7	0.2	94.0	0.5	40.0	0.2
Other.....	339.4	2.0	406.7	2.2	454.7	2.3	470.4	2.3	394.5	2.1
Total Europe.....	1,226.3	7.2	1,359.3	7.4	1,452.2	7.4	1,438.5	7.2	1,242.9	6.8
Other Europe.....	73.6	0.4	105.0	0.6	160.0	0.8	156.8	0.8	142.9	0.8
Total Europe.....	1,299.9	7.6	1,464.3	8.0	1,612.2	8.2	1,595.3	8.0	1,384.9	7.6
Asia:										
Indonesia.....	41.6	0.2	45.0	0.2	48.9	0.2	47.4	0.3	56.0	0.3
Japan.....	307.1	1.8	269.7	1.5	264.8	1.3	303.5	1.5	247.9	1.4
South Korea.....	321.3	1.9	291.2	1.6	291.2	1.5	279.1	1.4	248.3	1.3
Taiwan.....	119.8	0.7	120.3	0.6	136.7	0.7	126.7	0.6	124.7	0.7
Other Asia.....	2,700.9	15.9	2,850.2	15.5	3,220.1	16.4	3,241.7	16.3	3,329.2	18.3
Total Asia.....	3,490.7	20.5	3,576.4	19.4	3,961.7	20.1	3,998.6	20.1	4,006.1	22.0
Africa:										
South Africa.....	4.2	—	6.2	—	4.8	—	4.8	—	5.5	—
Other Africa.....	6.9	0.1	7.8	0.1	27.4	0.2	27.7	0.2	18.0	0.1
Total Africa.....	11.1	0.1	14.0	0.1	32.2	0.2	32.5	0.2	23.5	0.1
Oceania:										
Australia.....	5.2	0.1	3.7	—	4.8	—	2.6	—	2.1	—
New Zealand.....	20.5	0.1	27.1	0.2	29.9	0.2	25.3	0.1	21.6	0.1
Total Oceania.....	25.7	0.2	30.8	0.2	34.7	0.2	27.9	0.1	23.7	0.1
Other ⁽⁴⁾	647.7	3.8	640.0	3.5	677.1	3.4	730.1	3.7	700.0	3.9
Total	17,002.8	100.0	18,390.2	100.0	19,674.4	100.0	19,881.7	100.0	18,206.6	100.0

(1) Total imports in the Balance of Payments differ from the total imports of this table since these amounts include goods acquired in ports and because in this table those are valued Cost, Insurance and Freight (CIF) while in Balance of Payments they are valued Free on Board (FOB).

(2) The discrepancy between main aggregates and the sum of its components is due to rounding.

(3) Preliminary data.

(4) Includes the Dominican Republic, Netherlands Antilles, Panama and Puerto Rico.

Source: Bank of Guatemala.

Traditional Exports

Coffee

In 2016, exports of coffee were US\$649.1 million compared to US\$663.0 million in 2015. The 2.1% decrease in 2016 was the result of increased global production, mainly in Brazil and Vietnam, due to better weather conditions. The export price decreased 3.4% per quintal (US\$162.00, compared to US\$167.78 in 2015).

In 2017, exports of coffee totaled US\$748.0 million, 15.2% higher than the US\$649.1 million recorded in 2016. The volume exported reached 4.5 million quintales, representing an increase of 0.5 million quintales compared to 4.0 million quintales in 2016. Moreover, the international price per quintal in 2017 was US\$166.79, equivalent to a 3.0% increase compared to 2016 (US\$162.00). The increase of international prices in 2017 was the result of adverse weather conditions, mainly in Brazil, Colombia, Vietnam and Indonesia.

In 2018, exports of coffee totaled US\$679.9 million (9.1%), lower than the US\$748.0 million recorded in 2017. The volume exported in 2018 was 4.5 million quintales, registering minimal variation with respect to the previous year. Furthermore, the international price per quintal of coffee in 2018 was US\$149.88, 10.1% lower than the previous year (US\$166.79). The decrease in international prices in 2018 was a result of an increase in world production for the 2018/2019 coffee harvest season, notably due to favorable weather conditions in Brazil.

In 2019, exports of coffee totaled US\$662.4 million, 2.6% lower than the US\$679.9 million recorded in 2018. The volume exported reached 4.8 million quintales, representing an increase of 0.3 million quintales compared to 4.5 million quintales in 2018. Moreover, the international price per quintal in 2019 was US\$139.08, equivalent to a 7.2% decrease compared to 2018 (US\$149.88). The downward trend in international prices in 2019 was due to increased production volumes in Brazil, Colombia, Vietnam and Ivory Coast; as well as by a decrease in global demand, product of geopolitical tensions between the United States and China.

In 2020, exports of coffee totaled US\$650.5 million, 1.8% lower than the US\$662.4 million recorded in 2019. The volume exported reached 4.1 million quintales, representing a decrease of 0.7 million quintales compared to 4.8 million quintales in 2019. Moreover, the international price per quintal in 2020 was US\$156.76, equivalent to a 12.7% increase compared to 2019 (US\$139.08). The increase of international prices in 2020, was primarily a result of a lower global supply due to adverse weather conditions in the main growing areas of Central America, Vietnam, and India, as well as drought conditions on growing areas in Brazil.

Sugar

In 2016, exports of sugar totaled US\$816.7 million, a US\$34.1 million or 4.0% lower than in 2015. This decrease was attributable primarily to increased production in Brazil due to good climate conditions and less demand from India and China. The export price was US\$17.83, slightly lower than in 2015.

Exports of sugar in 2017 totaled US\$825.0 million, an increase of US\$8.3 million or 1.0% compared to US\$816.7 million in 2016. In terms of volume, exports of sugar were 42.0 million quintales, 3.8 million quintales lower than the exported volume in 2016. Furthermore, the average export price per quintal in 2017 was US\$19.66, 10.3% higher than in 2016. The international price of sugar showed an increase because most of the Brazilian production was destined to refining ethanol, as a result of an increase in the international prices of oil and gasoline.

In 2018, exports of sugar totaled US\$632.9 million, 23.3%, or US\$192.1 million, lower than in 2017 (US\$825.0 million). The volume exported in 2018 was 36.6 million quintales, 5.4 million quintales, or 12.9%, less than the exported volume in 2017 (42.0 million quintales). For 2018, the average export price per quintal was US\$17.29, a 12.1% decrease with respect to the average export price recorded in the previous year (US\$19.66). The decrease in average export price was a result of increased sugar production in Brazil, combined with a decrease in ethanol production.

Exports of sugar in 2019 totaled approximately US\$694.6 million, an increase of US\$61.7 million or 9.7% compared to sugar exports of US\$632.9 million in 2018. The volume of sugar exported in 2019 was 44.7 million quintales, 8.1 million quintales or 22.1% more than in 2018. Furthermore, the average price per quintal exported in 2019 was US\$15.53, 10.2% lower than in 2018 as a result of increased sugar production in Brazil and India.

Exports of sugar in 2020 totaled US\$576.8 million, a decrease of US\$117.8 million or 17.0% compared to sugar exports in 2019, primarily as a result of a reduced planted area and adverse climate factors. The volume of sugar exported in 2020 was 36.5 million quintales, 8.2 million quintales or 18.3% lower than in 2019. Furthermore,

the average price per quintal exported in 2020 was US\$15.78, 1.6% higher than in 2019, as a result of higher exports to some Asian countries.

Bananas

In 2016, banana exports totaled US\$702.6 million, a 1.7% decrease compared to 2015. The decrease in exports in 2016 was attributable primarily to higher production in countries such as the Philippines, Costa Rica and Colombia. The export price was US\$14.79 per quintal, 1.9% lower than in 2015.

Banana exports in 2017 totaled US\$781.6 million, an increase of US\$79.0 million or 11.2% compared to US\$702.6 million in 2016. This increase in 2017 was primarily attributable to increased demand from the United States. The exports in 2017 reached 52.0 million quintales, an increase of 4.5 million quintales compared to 47.5 million quintales in 2016. The average export price in 2017 was US\$15.03 per quintal, 1.6% higher than in 2016.

In 2018, banana exports totaled US\$804.0 million, an increase of US\$781.6 million or 2.9% compared to 2017 exports, as a result of higher exports to the United States. The export volume in 2018 reached 52.4 million quintales, an increase of 0.4 million quintales compared to 2017. The average export price was US\$15.36 per quintal, 2.2% higher than in 2017.

Banana exports in 2019 totaled US\$831.9 million, an increase of US\$27.9 million or 3.5 compared to US\$804.0 million in 2018, due to increased demand from the United States. The volume exported in 2019 reached 53.0 million quintales, representing an increase of 0.6 million quintales compared to 52.4 million quintales in 2018. The average export price in 2019 was US\$15.69 per quintal, 2.1% higher than in 2018.

Banana exports in 2020 totaled US\$813.1 million, a decrease of US\$18.8 million or 2.3% compared to exports in 2019. The volume exported in 2020 reached 52.2 million quintales, representing a decrease of 0.8 million quintales compared to 53.0 million quintales in 2019. This was mainly due to damage from tropical storm Eta. The average export price in 2020 was US\$15.59 per quintal, 0.6% lower than in 2019.

Cardamom

In 2016, cardamom exports totaled US\$229.0 million compared to US\$243.0 million in 2015, representing a decrease of US\$14.0 million. This decrease was mainly due to lower international prices and higher production yields in India. The export price was US\$291.24 per quintal, 11.7% lower than in 2015.

In 2017, cardamom exports totaled US\$366.6 million compared to US\$229.0 million in 2016, representing an increase of US\$137.6 million. In terms of volume, cardamom exports totaled 0.8 million quintales, similar to the volume exported in 2016. The export price in 2017 was US\$466.88 per quintal, 60.3% higher than the US\$291.24 per quintal in 2016. The higher export price was due to the decrease in the world supply, mainly due to lower production in Guatemala in 2017.

Cardamom exports in 2018 totaled US\$433.4 million, representing a US\$66.8 million increase compared to the US\$366.6 million exported in 2017. In terms of volume, cardamom exports totaled 0.8 million quintales, equivalent to the volume exported in 2017. The export price in 2018 was US\$536.30 per quintal, US\$69.42 higher than the US\$466.88 per quintal recorded in 2017. The increase in the export price was due to a decrease in the world supply, mainly due to adverse weather conditions in the cardamom producing regions in India.

In 2019, cardamom exports totaled US\$646.9 million compared to US\$433.4 million in 2018, representing an increase of US\$213.5 million. In terms of volume, cardamom exports totaled 0.8 million quintales, equal to the volume exported in 2018. The export price in 2019 was US\$809.77 per quintal, 51.0% higher than the US\$536.30 per quintal in 2018. The increase in the export price was due to a reduction in the world supply, as adverse weather conditions hindered production capacity in the cardamom producing regions in India.

In 2020, cardamom exports totaled US\$1,134.4 million compared to US\$646.9 million in 2019, representing an increase of US\$487.5 million, primarily as a result of excessive rains that affected the crop yields in the main producing regions in India, thus increasing demand for Guatemalan cardamom. In terms of volume, cardamom exports totaled 1.4 million quintales, representing an increase of 0.6 million quintales compared to 0.8 million quintales in 2019. The export price in 2020 was US\$790.90 per quintal, 2.3% lower than the US\$809.77 per quintal in 2019.

Oil

In 2016, oil exports totaled US\$84.5 million, a US\$42.4 million, or 33.4%, decrease compared to US\$126.9 million in 2015. Export volumes decreased 0.2 million barrels from 3.2 million barrels in 2015. The export price per barrel of oil in 2016 was US\$28.44, compared to US\$40.03 per barrel in 2015, due to lower international prices attributed to over-production and low global demand.

In 2017, oil exports totaled US\$118.6 million, a US\$34.1 million, or 40.4%, increase compared to US\$84.5 million in 2016. Export volumes decreased to 2.9 million barrels, a 0.1 million decrease in barrels from 3.0 million barrels in 2016. The export price per barrel of oil in 2017 was US\$41.25, compared to US\$28.44 per barrel in 2016, mainly due to production cuts by the Organization of Petroleum Exporting Countries (OPEC) and the decrease in extraction in oil fields located in the United States.

In 2018, oil exports totaled US\$124.9 million, a US\$6.3 million, or 5.3%, increase compared to US\$118.6 million in 2017. Export volumes decreased 0.6 million barrels to 2.3 million from 2.9 million barrels in 2017. The export price per barrel of oil in 2018 was US\$55.28, compared to US\$41.25 per barrel in 2017, due to production cuts by OPEC, a decrease in oil inventories in the United States and geopolitical tensions between Iran and the United States.

In 2019, oil exports totaled US\$101.2 million, a US\$23.7 million or 19.0% decrease compared to US\$124.9 million in 2018. Export volumes decreased by 0.3 million barrels to 2.0 million from 2.3 million barrels in 2018. The export price per barrel of oil in 2019 was US\$51.49, compared to US\$55.28 per barrel in 2018, mainly due to lower global demand and an increase in production in the United States and Brazil.

In 2020, oil exports totaled US\$49.1 million, a US\$51.7 million or 51.5% decrease compared to US\$101.2 million in 2019. Export volumes decreased by 0.6 million barrels to 1.4 million from 2.0 million barrels in 2019. The export price per barrel of oil in 2020 was US\$35.06, compared to US\$51.49 per barrel in 2019. In 2020, the world economic downturn due to the COVID-19 pandemic had a negative effect on global oil demand.

Non-traditional Exports

In 2016, non-traditional exports totaled US\$7,967.4 million, a decrease of US\$108.6 million or 1.3% compared to 2015, due mainly to lower sales of chemical products and sesame seeds.

In 2017, non-traditional exports totaled US\$8,142.6 million, an increase of US\$175.2 million or 2.2% compared to 2016, primarily due to an increase in exports of processed food and natural rubber. In 2018, non-traditional exports totaled US\$8,294.6 million, an increase of US\$152.0 million or 1.9% compared to 2017, primarily due to an increase in exports of vegetables and chemical products.

In 2019, non-traditional exports totaled US\$8,232.6 million, a decrease of US\$61.9 million or 0.7% compared to 2018, due mainly to lower sales of processed foods and shrimp, fish and lobster. In 2020, non-traditional exports totaled US\$8,289.4 million, an increase of US\$56.8 million or 0.7% compared to 2019, mainly due to higher sales of processed foods and vegetables.

Tourism Proceeds

Guatemala has several tourist attractions and a rich and diverse cultural history including the Mayan Culture. As such, tourism is an important source of foreign currency for the country.

The following tables set forth information related to foreign currency earnings coming from tourism and the total number of tourists visiting Guatemala for the years indicated.

Currency Income from Tourism and Travel (in millions of US\$ and % change from prior year)

	For the year ended December 31,				
	2016	2017	2018	2019⁽¹⁾	2020⁽¹⁾
Income from tourism.....	958.5	969.2	985.6	958.9	211.7
% change from prior year.....	(3.3)	1.1	1.7	(2.7)	(77.9)

(1) Preliminary data.
Source: Bank of Guatemala.

Number of Foreign Visitors to Guatemala

Country or Region	For the year ended December 31,				
	2016	2017	2018	2019⁽¹⁾	2020⁽¹⁾
Unites States & Canada	394,913	419,273	475,169	492,404	130,664
Mexico	96,678	101,705	104,179	110,153	25,131
Belize	17,314	33,621	58,365	64,450	9,405
El Salvador	848,065	925,116	1,060,958	1,147,169	231,973
Honduras	85,952	91,535	133,346	185,194	45,422
Rest of Central America	100,124	134,324	135,463	147,506	35,831
South America	81,035	86,238	87,507	87,404	21,895
Europe	125,385	138,999	145,519	141,237	39,788
Rest of World ⁽²⁾	53,014	53,396	55,004	53,293	11,889
Cruisers	103,712	129,063	150,392	130,789	41,992
Total	1,906,192	2,113,270	2,405,902	2,559,599	593,990

(1) Preliminary data.

(2) Includes Caribbean, Asia, Middle East, Oceania and other countries.

Source: INGUAT.

In the period 2016 and 2019, income from tourism increased, as global tourism began to recover from the effects of the international economic crisis. Between 2016 and 2019, tourism growth was primarily due to the promotion of the attractiveness of Guatemala as a tourism destination and improved air travel connectivity from 2014 onwards. In 2020, tourism was severely affected by the COVID-19 pandemic, given the travel restrictions imposed around the world. As a result, Guatemala's national borders were closed from March to September.

Foreign Direct Investment by Country
(in millions of US\$)

	2016		2017		2018 ⁽¹⁾		2019 ⁽¹⁾		2020 ⁽¹⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
By Country:										
<i>Central America and Dominican Republic:</i>										
Panama	18.6	1.6	(23.9)	(2.1)	52.2	5.3	23.9	2.5	119.3	13.0
El Salvador	(14.8)	(1.3)	(1.6)	(0.1)	27.9	2.8	11.8	1.2	28.0	3.1
Honduras	30.8	2.6	14.3	1.3	33.8	3.4	34.9	3.6	25.5	2.8
Costa Rica	51.7	4.4	87.6	7.7	29.3	3.0	5.5	0.6	5.6	0.6
Dominican Republic	2.2	0.2	3.6	0.3	1.3	0.1	0.2	—	2.5	0.3
Nicaragua	0.1	—	1.0	0.1	1.6	0.2	0.4	—	0.3	—
Total Central America and Dominican Republic.....	88.6	7.5	81.0	7.2	146.1	14.9	76.7	7.9	181.1	19.8
<i>Rest of world:</i>										
United States	298.8	25.4	262.6	23.2	292.0	29.8	235.9	24.2	195.3	21.3
Colombia	123.6	10.5	233.6	20.7	154.0	15.7	174.9	17.9	193.5	21.1
Russia	39.8	3.4	13.4	1.2	(63.4)	(6.5)	126.1	12.9	74.6	8.2
Mexico.....	202.0	17.2	202.7	17.9	102.0	10.4	107.5	11.0	57.1	6.2
Netherlands.....	0.2	—	(31.7)	(2.8)	5.1	0.5	68.9	7.1	43.4	4.7
Luxembourg	62.5	5.3	21.6	1.9	22.7	2.3	31.1	3.2	40.2	4.4
Peru	28.0	2.4	35.6	3.2	33.4	3.4	33.0	3.4	26.8	2.9
Switzerland.....	36.4	3.1	(11.6)	(1.0)	42.3	4.3	(53.6)	(5.5)	23.5	2.6
South Korea.....	48.3	4.1	85.7	7.6	39.5	4.0	26.3	2.7	18.0	2.0
Italy	(27.6)	(2.4)	12.4	1.1	7.7	0.8	27.9	2.9	15.6	1.7
Spain.....	(17.3)	(1.5)	76.9	6.8	29.8	3.0	10.1	1.0	11.4	1.2
Israel.....	63.4	5.4	4.8	0.4	19.1	2.0	9.8	1.0	6.2	0.7
Germany.....	30.0	2.6	44.7	4.0	25.3	2.6	4.7	0.5	0.9	0.1
Sweden	1.2	0.1	0.1	—	3.2	0.3	0.5	0.1	0.6	0.1
England	37.2	3.2	44.4	3.9	(12.1)	(1.2)	18.6	1.9	(7.1)	(0.8)
Canada.....	(16.8)	(1.4)	(43.7)	(3.9)	(17.7)	(1.8)	(26.7)	(2.7)	(19.7)	(2.1)
Total rest of world	909.7	77.4	951.5	84.2	683.0	69.6	795.0	81.6	680.6	74.4
Others	176.1	15.1	97.5	8.6	151.6	15.5	103.0	10.6	53.4	5.8
Total.....	1,174.4	100.0	1,130.0	100.0	980.7	100.0	974.7	100.0	915.2	100.0

(1) Preliminary data.

Source: Bank of Guatemala

Foreign Direct Invest Income by International Standard
Industrial Classification of All Economic Activities, Rev. 4 (ISIC 4)
(in millions of US\$)

	For the year ended December 31,									
	2016		2017		2018 ⁽¹⁾		2019 ⁽¹⁾		2020 ⁽¹⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
By Economic Activity:										
A. Agriculture, forestry and fishing.....	1.1	0.1	6.0	0.5	13.8	1.4	4.8	0.5	12.9	1.4
B. Mining and quarrying	57.4	4.9	(55.6)	(4.9)	(112.1)	(11.4)	58.7	6.0	(5.3)	(0.6)
C. Manufacturing	242.0	20.6	276.8	24.5	273.9	27.9	227.0	23.3	219.0	23.9
D-E. Electricity, water supply and waste management.....	79.7	6.8	113.7	10.1	113.2	11.5	115.0	11.8	144.0	15.7
F. Construction	109.8	9.4	16.8	1.5	14.3	1.5	(7.5)	(0.8)	18.4	2.0
G. Trade and vehicle repair	336.6	28.7	232.1	20.5	222.2	22.7	140.1	14.4	162.8	17.8
H. Transportation and storage.....	38.8	3.3	23.5	2.1	26.0	2.6	3.9	0.4	8.8	1.0
I. Accommodation and food service activities	(6.0)	(0.6)	3.6	0.3	5.0	0.5	9.9	1.0	3.2	0.3
J. Information and communication.....	138.4	11.8	76.6	6.8	31.3	3.2	58.1	6.0	22.0	2.4
K. Financial and insurance activities	183.2	15.6	337.9	29.9	301.3	30.7	339.2	34.8	272.0	29.7
L-U. Other activities.....	(6.6)	(0.6)	98.6	8.7	91.8	9.4	25.5	2.6	57.4	6.3
Total.....	1,174.4	100.0	1,130.0	100.0	980.7	100.0	974.7	100.0	915.2	100.0

(1) Preliminary data.

Source: Bank of Guatemala

Following ratification and entry into effect of DR-CAFTA in 2006, the expectations arising from trade liberalization of trade led to an increase in foreign direct investment, as companies invested mainly in the mining and power generation sectors, as well as manufacturing and commercial and services sector. Along with a favorable macroeconomic stability and improved infrastructure, as well as incentives and promotion of laws favorable to capital investment, foreign direct investment inflows to Guatemala have shown growth in most years (with the exception of 2009 in the aftermath of the international economic crisis) with an average growth of 7.9% in the period from 2010 to 2020. However, there was a slowdown as a result of the uncertainty generated by the problems of political instability and some legal decisions that affected the operation of some mining companies (certain mining projects, such as Tahoe's Escobal mine and Juan Bosco mine, were temporally suspended and the Constitutional Court upheld such suspensions). In 2020, according to preliminary data, foreign direct investments decreased 6.1%. In 2017, 2018 and 2019 the reductions were 3.8%, 13.2% and 0.6%, respectively.

Remittances

Workers' remittances in the period from 2016 to 2020 grew at a compounded average annual rate of 12.6%. In 2019, net inflows of workers' remittances were US\$10,508.3 million, 13.1% higher than in 2018. In 2020, net inflows of worker's remittances were US\$11,340.4 million a 7.9% increase from 2019. According to the "Survey on Guatemalan International Migration and Remittances 2016" published by the International Organization for Migration, an estimated 2.3 million Guatemalan migrants were living abroad in 2016. Approximately 99.9% of all workers' remittances in 2019 originated in the United States. The COVID-19 pandemic had a muted impact on remittances in 2020, primarily due to the recovery of the labor market in the United States from job losses in the second quarter, in particular, among the foreign-born Hispanic population.

Exchange Rate Policy and Foreign Exchange Rates

The exchange rate is allowed to float freely and is determined by supply and demand of foreign exchange. We believe the Bank of Guatemala's intervention in the foreign exchange market is warranted in some circumstances, including when such intervention is aimed at moderating exchange rate volatility, without affecting its trend. Against this background, the intervention of the Bank of Guatemala in the foreign exchange market is triggered by a transparent, quantitative rule aimed at moderating excessive volatility without interfering with the trend of the nominal exchange rate.

In 2016 and 2017, the *quetzal* appreciated by 1.4% and 2.4%, respectively, against the U.S. dollar. In 2018, the *quetzal* depreciated 5.3% against the U.S. dollar. At the end of December 2019, the *quetzal* appreciated by 0.5% as a result of the increase in remittances and the deceleration in exports and imports in 2019. In 2020, the *quetzal* depreciated 1.2% against the U.S. dollar. As of July 31, 2021, the *quetzal* had appreciated 0.6% against the U.S. dollar during 2021.

The Bank of Guatemala's intervention rule has been modified several times since its inception, in order to allow for greater flexibility for intervention in the exchange market and prevent excessive intervention. The Monetary Board modified the participation rule twice in 2009, due to the greater exchange rate volatility that occurred during the year as a result of the international economic and financial crisis, and again in 2011 through Resolution No. JM-171-2011 of the Monetary Board. Said intervention rule was last modified pursuant to Resolution No. JM-148-2020 of the Monetary Board, which amended Resolution No. JM-171-2011. Through this amendment, the Bank of Guatemala has the ability to call for auctions for the purchase or sale of U.S. dollars if the *quetzal*/U.S. dollar exchange rate fluctuates outside of the limits set forth in such resolution.

The behavior of the exchange rate reflects a seasonal pattern, which prevailed during the periods indicated in the table below.

**Exchange Rates
(Q per US\$1.00)**

Year ended December 31,	Period End	Average for Period
2016.....	7.52213	7.60206
2017.....	7.34477	7.35086
2018.....	7.73695	7.51908
2019.....	7.69884	7.69835
2020.....	7.79382	7.72222

Source: Bank of Guatemala.

Month ended	Period End	Average for Period
January 31, 2021	7.78638	7.79007
February 28, 2021	7.70922	7.74536
March 31, 2021	7.71498	7.72033
April 30, 2021	7.71812	7.71658
May 31, 2021	7.72117	7.71492
June 30, 2021	7.74404	7.73852
July 31, 2021	7.74751	7.74509
August 2021	7.72957	7.73839

Source: Bank of Guatemala.

MONETARY AND FINANCIAL SYSTEM

Financial System

The financial system of Guatemala is composed of the Bank of Guatemala; commercial banks (onshore and offshore); finance firms; insurance companies, such as a bank or insurance company that provides bid, fidelity, performance and other types of bonds; foreign exchange houses; warehouses and leasing, factoring, credit card companies; credit unions; and saving and credit cooperatives. The financial system, except for securities exchanges and cooperatives, is supervised by the Superintendency of Banks, under the direction of the Monetary Board. The equity market is not well developed and the private debt market consists mainly of short-term promissory notes, mostly issued by credit card companies and a few enterprises. The Government and the Bank of Guatemala are the primary issuers of long-term debt securities.

The Monetary Board and the Bank of Guatemala

The Constitution empowers the Monetary Board, as the governing body of the Bank of Guatemala, to determine the monetary and foreign exchange policies of the country. The Monetary Board acts through the Bank of Guatemala to execute its policies. The Monetary Board also oversees the liquidity and solvency of the national banking system. Under the direction and supervision of the Monetary Board, the Bank of Guatemala operates as an autonomous financial institution.

The Monetary Board is composed of the President of the Bank of Guatemala, as chairman, the Minister of Public Finance, the Minister of Economy, and the Minister of Agriculture, Livestock and Food, one member elected by Congress, one member appointed by the business, industrial and agricultural associations, one member appointed by the private banks, and one member elected by the Higher Council of the *Universidad de San Carlos*. The President of the Bank of Guatemala is appointed by the President of the Republic of Guatemala for a four-year term which overlaps with two successive government terms. The President of the Bank of Guatemala reports to Congress twice a year and may be removed by a two-thirds majority vote of Congress after the presentation of the report. Additionally, the President of the Bank of Guatemala may be removed by the President of the Republic if they commit a crime, are found responsible for fraudulent or illegal activities, or become ineligible for the position.

According to the Constitution, the Bank of Guatemala is prohibited from directly or indirectly financing the Government or public or private entities other than financial institutions, and may not acquire securities issued or sold in the primary market by the public sector. The Constitution permits the Bank of Guatemala to finance public sector entities only in the case of national emergency, and then only upon the request of the President of the Republic and with the approval of two-thirds majority of Congress.

The Organic Law of the Bank of Guatemala (Decree No. 16-2002), which became effective on June 1, 2002, establishes that the Bank of Guatemala's fundamental objective is to promote price stability. In order to pursue its fundamental objective, the Bank of Guatemala has implemented an inflation targeting regime since 2005. In addition, the implementation of its exchange policy is consistent with the objective of price stability. Thus, the Bank of Guatemala participates in the foreign exchange market within a set of rules publicly known, only to reduce exchange rate volatility.

Monetary Policy

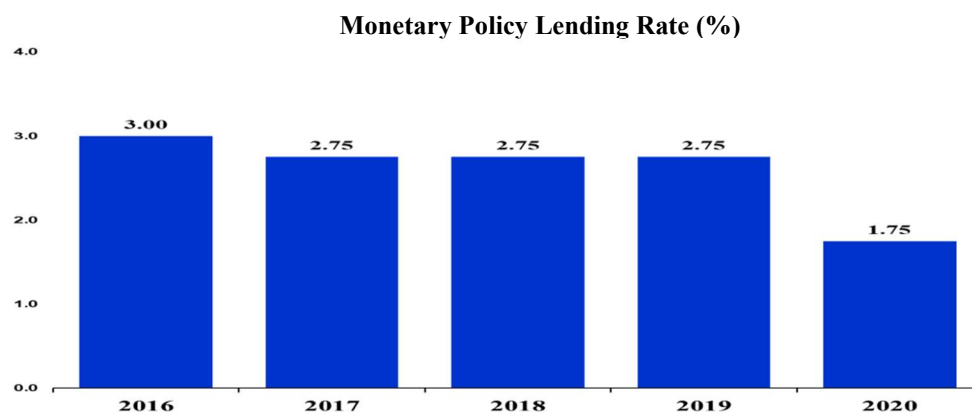
In an inflation targeting regime, the Bank of Guatemala announces the monetary policy stance in relation to the inflation outlook of the economy by determining the short-term interest rate that has an impact on the liquidity conditions of the financial markets. This interest rate is usually called "monetary policy leading interest rate." When the Bank of Guatemala identifies significant inflationary pressures, it increases the level of the monetary policy leading interest rate in order to restrict liquidity and to have an impact on other long-term interest rates that affect the levels of consumption and investment in the economy. Alternatively, when the Bank of Guatemala identifies significant deflationary pressures, it reduces the monetary policy leading interest rate. The Bank of Guatemala keeps the monetary policy leading interest rate unchanged when it considers that the inflation outlook is consistent with the inflation target.

The inflation targeting regime is based on the choice of an inflation rate target as the nominal anchor for monetary policy, a flexible exchange rate regime, the use of indirect monetary control instruments (monetary stabilization operations), as well as the strengthening of transparency in the proceedings of the Bank of Guatemala.

Beginning in 2013, the Monetary Board’s medium-term inflation target has been to maintain the inflation rate within a target range of 4.0%, plus or minus 1%, and to achieve the following goals:

- promote stability in the general level of prices;
- maintain a free exchange rate; and
- continue the modernization of the financial system.

Since June 1, 2011, the monetary policy lending rate has been set for overnight operations. Through this rate, the monetary authorities seek to promote a more efficient management of liquidity by the banks and other financial institutions, enabling the maintenance, on average, of lower balances of short-term deposits at the Bank of Guatemala, which, in turn, improves the incidence of changes in monetary policy leading interest rate on financial decisions and, consequently, on lending and borrowing rates, enhancing the transmission mechanism of the monetary policy on aggregate demand, the real exchange rate and, particularly, on the path of inflation. The graph below shows the monetary policy lending rate for the years presented.



Source: Bank of Guatemala.

Note: Percentages represent year-end figures.

The current monetary policy also provides that the main instrument for moderating primary liquidity is the implementation of monetary stabilization operations (“OEM”). It also establishes the mechanisms used by the Bank of Guatemala for the receipt of term deposits (“DP”). For the year ended December 31, 2020; these operations registered volume of Q51,270.1 million (approximately US\$6,578.3 million), or 8.6% of GDP.

Financial Sector

Significant improvements have been made in the last decade in order to strengthen Guatemala’s financial sector. With the assistance of the IMF and the World Bank, a financial sector reform program has been implemented, designed to create a modern, strong and well-functioning financial system, able to improve and expand its intermediating functions and to withstand shocks. This reform program included strengthening the overall financial regulation and supervision, recapitalization of weak but viable banks and fostering market discipline and competition among financial intermediaries.

Congress enacted the following laws to implement current international standards:

- Congressional Decree No. 67-2001, the Anti-Money Laundering Law (*Ley Contra el Lavado de Dinero u Otros Activos*), enacted in December 2001 and its regulations. The purpose of this law is to prevent, control, monitor and sanction the laundering of money or other assets. This law criminalizes money laundering or other assets in accordance with the provisions of the United Nations Convention of 1988 (Vienna Convention) against illicit trafficking of narcotic drugs and other psychotropic substances; the United Nations Convention against Transnational Organized Crime 2000 (Palermo Convention), the United Nations Convention against Corruption 2003, and the Recommendations of the International Financial Action Task Force and its evaluation methodology. The Anti-Money Laundering Law also establishes the general legal framework for prevention that certain persons must observe (the aforementioned framework is developed by regulations emanating from the Executive

Branch and by the prudential regulations issued by the Intendancy of Special Verification), creates and specifies the legal functions of the Intendancy of Special Verification, which is the Financial Intelligence Unit of Guatemala, and further establishes administrative penalties for certain persons who must adopt internal processes and controls to ensure that their services are not used for money laundering. This law also regulates matters related to extradition, mutual legal assistance and other forms of international cooperation.

- Congressional Decree No. 16-2002, the Bank of Guatemala's Organic Law (*Ley Orgánica del Banco de Guatemala*), which became effective on June 1, 2002, has the following key objectives: strengthening the autonomy of the Bank of Guatemala; redefining minimum reserve requirements for the banking system; and enhancing the transparency of its internal operations. The law also provides that the Bank of Guatemala is an autonomous entity authorized to set monetary policy, that members of the Monetary Board may only be removed for cause, and that the Bank of Guatemala is required to release information to the public related to monetary policy and its implementation. In addition, the law establishes as the Bank of Guatemala's fundamental objective the creation and maintenance of the most favorable conditions for an orderly development of the Guatemalan economy. For that purpose, the Bank of Guatemala uses monetary, exchange and credit policies to promote stability at the general level of prices.
- Congressional Decree No. 17-2002, the Monetary Law (*Ley Monetaria*), which became effective as of June 1, 2002, reflects changes in the international financial markets, and mandates the free convertibility of foreign exchange and free movement of capital. This law provides the legal framework to generate confidence in the financial services sector and gives legal certainty for foreign exchange operations. In addition, the Monetary Law provides that the Bank of Guatemala is the only entity that can issue domestic currency.
- Congressional Decree No. 19-2002, the Banking and Financial Groups Law (*Ley de Bancos y Grupos Financieros*), which became effective as of June 1, 2002, constitutes the basic legal framework to improve the level of competitiveness and strength of the Republic's financial institutions. It addresses the regulation of financial groups and administration of risks among banking institutions, consolidates the supervision of banks and financial groups, streamlines mechanisms for the restructuring and disposition of insolvent institutions, and provides for transparency of information.
- Congressional Decree No. 18-2002, the Banking Supervision Law (*Ley de Supervisión Financiera*), which became effective as of June 1, 2002, gives the Superintendency of Banks greater functional independence, regulatory oversight and greater disciplinary authority to exercise its supervisory functions more effectively. This law is intended to promote greater public confidence in the banking system. In addition, this law establishes the qualifications required of the head of the Superintendency of Banks, including its authority and causes for removal.
- On July 2, 2004, Guatemala was removed from the FATF's "Non Cooperative Countries and Territories List" due to Guatemala's development and on-going implementation of an effective anti-money laundering regime, and the country is currently considered by the FATF to be a cooperative country in the fight against money laundering and terrorism financing. Furthermore, Guatemala's legal regime complies with international treaties against corruption and transnational organized crime.
- Additionally, Congressional Decree No. 58-2005, the Law to Prevent and Suppress the Financing of Terrorism (*Ley para Prevenir y Reprimir el Financiamiento al Terrorismo*) issued in September 2005 and its regulation, aims to establish measures for the prevention and repression of terrorist financing, which is considered a crime against humanity and against international law. Also cover other aspects related to the financing of terrorism, such as reporting entities, suspicious transaction reporting, extradition and mutual legal assistance; as well as funds transfers and cross-border transportation of cash.
- Furthermore, the Presidential Commission Against Money Laundering and Terrorism Financing and the Proliferation of Weapons (*Comisión Presidencial Contra el Lavado de Dinero y el Financiamiento*

del Terrorismo y de la Proliferación de Armas, known as COPRECLAF created by Government Agreement No. 132-2010), has, among other functions, analyze national problems related to money laundering or other assets, financing of terrorism and the financing of proliferation of weapons of mass destruction to identify vulnerabilities and risks in order to suggest actions to mitigate them; review, develop and implement strategies, policies and mechanisms to prevent and combat acts referred; and analyze the existing regulations, in order to make recommendations aimed at strengthening it. In order to fulfill its purpose and powers, on January 28, 2011, the Commission approved its National Strategic Plan, which was subsequently modified in accordance with the update of international standards and the reforms to its creation agreement. In addition, the Commission launched in 2015 the First National Risk Assessment, which was updated and whose report was adopted in 2019. From this report is designed, updated and adopted the “National Strategic Plan Against Money Laundering, Terrorist Financing and Proliferation of Weapons of Mass Destruction 2019-2026,” which takes into account not only the results of the aforementioned evaluation but also the results of the Mutual Evaluation to Guatemala, carried out jointly, by the Latin American Financial Action Task Force (GAFILAT) and the Caribbean Financial Action Task Force (CFATF).

- Congressional Decree No. 25-2010, the Insurance Activity Law (*Ley de la Actividad Asegurada*), which became effective as of January 1, 2011, regulates matters relating to the incorporation, organization, merger, activities, operations, performance, suspension and liquidation of insurance and reinsurance firms, as well as the registration and control of insurance and reinsurance brokers and independent insurance adjusters operating in the country. The issuance of this law contributed to the strengthening of the insurance system, enhancing its ability to be solvent, modern and competitive. It also provided the necessary grounds for the development of adequate prudential regulation. To enable the implementation of the Law, from 2010 the Monetary Board has issued several regulations. In addition, the Superintendent of Banks, within its jurisdiction, has issued regulation of its own pursuant to this law.
- Congressional Decree No. 25-2016, the Microfinance Entities Act (*Ley de Entidades de Microfinanzas y de Entidades de Microfinanzas Sin Fines de Lucro*) which became effective as of November 10, 2016, regulates the incorporation procedure, licensing, merger, functioning, operations, services, suspension and liquidation of the microfinance companies.

In addition, specific provisions within these and other laws have been put in place for the: (i) closure of insolvent banks; (ii) transfer of assets and liabilities of insolvent banks to other financial institutions; (iii) establishment of the Fiduciary Fund for Bank Capitalization (“FCB”); (iv) recapitalization of weak but viable banks; (v) regulation of bank liquidity; (vi) bolstering bank’s solvency; enhancing bank supervision; (vii) establishment of a Credit Information System (credit bureau); (viii) implementation of new accounting rules; (ix) adoption of a better legal framework for rapid debt collection; (x) establishment of the Special Unit Against Money Laundering within the Superintendency of Banks; and (xi) modernization of the payment system for large transactions.

To date, these improvements have proven to be effective. In 2006-2007, difficulties in two commercial banks, which accounted for approximately 10% of the total assets of the banking system, tested the strength of the financial sector. The authorities addressed the crisis successfully using the mechanisms provided by the Banks and Financial Groups Law. Furthermore, the impact on the rest of the financial system was contained. The deposit insurance fund (“FOPA”) and the Fiduciary Fund for Bank Capitalization financed the effect of the dissolution of the two failed banks. The FOPA subsequently was successfully recapitalized through additional fiscal funds, an increase in the premium charged to banks, and additional funding from banks.

The domestic financial sector was also resilient in the face of the 2008-2009 global financial crisis. The financial sector had limited exposure to the sources of the global financial crisis and banks had not invested in high-risk instruments linked to the U.S. mortgage market. Moreover, the financial system experienced significant consolidation in recent years, with weaker institutions being absorbed by generally more solid ones. Starting in 2008, the monetary authorities addressed the most pressing financial risks by enhancing banking supervision, ensuring adequate bank liquidity in both domestic and foreign currency, and bolstering bank solvency by increasing provisioning requirements.

The Government continues to work on strengthening the country's financial institutions to develop complementary financial standards in areas such as insurance, anti-money laundering, financial risks and strengthening of the banking safety net, among others. Nevertheless, the Guatemalan financial sector still faces significant challenges. The Government cannot assure that banks will not experience liquidity and solvency problems in the future or that such problems will not have a material adverse effect on the sector and on the economy.

Commercial Banks

As of December 31, 2020, Guatemala had 17 commercial banks, including one branch of a foreign bank and one Government-owned bank. Three large commercial banks have the largest market share based on assets and deposits. As of December 31, 2020, these banks held 63.5% of total assets and 62.3% of deposits of the Guatemalan banking system. As of December 31, 2020, the assets of Guatemalan commercial banks totaled Q394,066.5 million (US\$50,561.4 million). Total liabilities of Guatemala's commercial banks amounted to Q357,449.6 million (US\$45,863.2 million), of which Q305,093.7 million (US\$39,145.6 million) were deposits. The state-owned bank has 1.4% of market share based on assets in the Guatemalan banking system.

Financial Firms

Guatemalan law allows the existence of financial firms that act as financial intermediaries. By encouraging and channeling both medium- and long-term domestic capital in the form either of debt or equity investments in domestic corporations, these institutions promote the establishment of productive enterprises. Financial firms obtain financial resources through loans and issuance of bonds and notes, as well as their own capital. These firms do not take resources through checking, savings or term accounts. There are currently 11 financial firms in Guatemala, 10 of which are private and one of which is Government-owned.

As of December 31, 2020, the total assets of the financial firms were Q10,454.7 million (US\$1,341.4 million), which represents 2.4% of the total assets of the Guatemalan financial system (including only banks, financial firms and offshore entities). The total liabilities of financial firms were Q9,325.3 million (US\$1,196.5 million).

Offshore Entities

As of December 31, 2020, there were four offshore entities authorized to operate in Guatemala. These offshore financial entities, in accordance with the Banking and Financial Groups Law, must be part of a Guatemalan financial group to obtain a license to operate in Guatemala. These entities have limited their operations to clients with deposit accounts with balances greater than US\$10,000.00. Deposits in offshore entities are not covered by deposit insurance (FOPA).

As of December 31, 2020, total assets of the offshore entities were Q25,160.0 million (US\$3,228.2 million), which represent 5.9% of total assets of the Guatemalan financial system (including only banks, financial firms and offshore entities). Total deposits of offshore entities were Q22,199.2 million (US\$2,848.3 million), which represented 6.8% of the deposits of the financial system. Total liabilities of offshore entities were Q22,417.7 million (US\$2,876.3 million). There has been a reduction in the number of offshore entities, from 10 institutions in 2007 to four institutions as of December 31, 2020, mainly due to financial mergers and acquisitions, and others by voluntary retirement.

National Mortgage Bank

The Guatemala Mortgage National Bank (*Crédito Hipotecario Nacional de Guatemala*) is the only state-owned commercial bank in Guatemala. Guatemala Mortgage National Bank provides credit for housing, commercial, construction and other activities and finances its operations almost exclusively with deposits, paid-in capital and capital reserves. As of December 31, 2020, the bank had total assets of Q5,702.0 million (US\$731.6 million) and liabilities of Q5,468.2 million (US\$701.6 million). Its loans represent 0.8% of the loans granted by commercial banks. This bank deposits represent 1.4% of the deposits of the banking system.

The following table sets forth the number of commercial banks, financial firms and offshore entities, as well as the distribution of loans, deposits and assets in the financial system corresponding to each category and to the National Mortgage Bank.

Number of Financial Institutions and Distribution of Loans, Deposits and Assets

	As of and for the year ended December 31,						
	2016	2017	2018	2020	Loans	Deposits	Assets
Commercial banks*	17	17	16	16	94.9%	91.9%	90.4%
Finance firms**	13	13	13	11	0.4%	0.0%	2.4%
Offshore entities	6	6	4	4	4.0%	6.8%	5.9%
<i>Crédito Hipotecario Nacional de Guatemala</i> ⁽¹⁾	1	1	1	1	0.8%	1.3%	1.3%
Total	37	37	34	32	100.0%	100.0%	100.0%

* The Monetary Board in resolution JM-102-2019, of November 20, 2019, authorized Financiera Credicorp, S.A. (financial firm) to change its corporate purpose to operate as a Savings Bank and Loan for Family Housing according to Decree No. 541, Law of Savings Banks and Loans for Family Housing. This bank was authorized to start operations on November 9, 2020, under the name Banco Credicorp, S.A., according to resolution No. 1780-2020 of the Superintendency of Banks.

(1) Owned by the Government.

Source: Superintendency of Banks.

Total assets in the Guatemalan financial system increased from 63.5% of GDP in 2016 to 71.9% of GDP in 2020. The country has experienced economic growth and a stable price environment over this period. The Guatemalan economy and its financial system were resilient to the effects caused by the economic and financial global crisis.

The Guatemalan banking industry has experienced significant consolidation, driven principally by the need to become more competitive, including the following acquisitions:

- Bancolombia acquired 40% of the shares of Banco Agromercantil de Guatemala, S.A. (in 2013) reaching a 100% stake in 2020;
- Grupo Aval from Colombia acquired Banco Reformador, S.A. (November 2013). In January 2015, Banco de América Central, S.A. acquired Banco Reformador, S.A.
- Promerica Financial Corporation acquired 99.9% of the shares of Banco Citibank de Guatemala, S.A. (October 2016). Banco Citibank de Guatemala, S.A. was consequently merged with Banco Promerica, S.A.

Furthermore, Guatemalan banks have opened branches or invested in banks in Central America:

- Banco Industrial, S.A. has opened branches in El Salvador, Honduras and Panama;
- Banco de Desarrollo Rural, S.A. has invested in Banrural in Honduras; and
- Banco G&T Continental, S.A. has opened branches in El Salvador and Panama.

There are currently no restrictions on foreign investment in Guatemalan banks or financial institutions, and so foreign investors can obtain banking licenses.

Financial groups (*grupos financieros*) were permitted by the Banks and Financial Groups Law (Decree No. 19-2002). These groups are the association of two or more companies that perform activities that are financial in nature. One member of a financial group must be a bank, and must be under common control in terms of property, management or use of corporate image. In the absence of the foregoing, a financial group must have a common control agreement in place. The Superintendency of Banks is responsible for the surveillance and inspection of such financial groups.

As of December 31, 2020, there were 10 privately owned financial groups in the Guatemalan financial system:

- Grupo Financiero Corporación BI, led by Banco Industrial, S.A.;
- Grupo Financiero Agromercantil, led by Banco Agromercantil de Guatemala, S.A.;
- Grupo Financiero Promerica, led by Banco Promerica de Guatemala, S.A.;
- Grupo Financiero Bac-Credomatic, led by Banco de América Central, S.A.;
- Grupo Financiero G&T Continental, led by Banco G&T Continental, S.A.;

- Grupo Financiero Banco Internacional, led by Banco Internacional, S.A.;
- Grupo Financiero Banrural, led by Banco de Desarrollo Rural, S.A.;
- Grupo Financiero de los Trabajadores, led by Banco de los Trabajadores;
- Grupo Financiero Vivibanco, led by Vivibanco, S. A; and
- Grupo Financiero Ficohsa Guatemala, led by Banco Ficohsa Guatemala, S.A.

The following table sets forth the total gross assets of the Guatemalan financial system as of the dates indicated and the percentage growth from the prior year.

**Total Assets of the Guatemalan Financial System
(as % change from prior year)**

As of December 31,	Financial System Growth rate (%)	Commercial Banks Growth rate (%)
2016	6.5	7.1
2017	6.7	7.9
2018	7.3	7.5
2019	5.2	6.3
2020	11.9	12.7

Source: Superintendency of Banks.

Commercial banks are the principal source of private sector financing and accounted for 95.7% of all loans of the financial system as of December 31, 2020. Major borrowers include companies engaged in wholesale and retail trade (14.5%), private and financial services (12.0%), manufacturing (11.8%), construction (7.6%), electricity and water (7.0%), and agriculture, livestock, fishing and forestry (4.7%). Consumer credit represents (34.2%) of total credits. The following tables set forth the allocation of loans by economic sector.

**Loans of the Financial System by Economic Sector
(in millions of quetzales)**

	As of and for the year ended December 31,				
	2016	2017	2018	2019	2020
Private sector:					
Agriculture, livestock, fishing and forestry	11,251.6	10,906.8	10,589.4	10,265.7	10,087.8
Mining and quarries.....	193.6	185.8	193.5	613.9	619.9
Manufacturing	21,710.1	22,272.4	24,639.9	24,573.7	25,330.2
Electricity and water.....	16,250.7	15,215.0	15,923.3	14,692.1	15,038.3
Construction	12,996.9	13,823.8	14,344.9	14,824.5	16,359.6
Wholesale and retail trade	25,745.5	25,319.0	28,149.9	29,423.0	31,159.6
Transportation, storage and telecommunications..	2,067.0	2,099.2	2,185.5	2,005.6	2,126.0
Private and financial services	20,245.5	22,313.9	23,966.1	24,410.5	25,689.9
Community, social and personal services.....	6,995.8	6,957.3	6,729.1	7,105.3	8,646.2
Consumer credit and mortgages	58,373.2	61,372.0	64,855.0	69,733.0	73,372.0
Private transfers	5,545.9	5,469.7	5,127.0	4,637.0	5,112.0
Others	1,778.8	1,585.1	1,460.8	1,307.0	1,260.9
Total private sector loans	183,154.6	187,520.0	198,137.0	203,591.6	214,802.4
Total public sector loans.....	8,652.8	10,330.6	19,188.7	23,672.4	33,456.1
Total loans.....	191,807.4	197,850.6	217,325.7	227,264.0	248,258.5

Source: Superintendency of Banks.

**Loans of the Financial System by Economic Sector
(in millions of US\$)⁽¹⁾**

	As of and for the year ended December 31,				
	2016	2017	2018	2019	2020
Private sector:					
Agriculture, livestock, fishing and forestry	1,495.8	1,485.0	1,368.7	1,333.4	1,294.3
Mining and quarries	25.7	25.3	25.0	79.7	79.5
Manufacturing	2,886.2	3,032.4	3,184.6	3,191.9	3,250.0
Electricity and water	2,160.4	2,071.5	2,058.1	1,908.4	1,929.5
Construction	1,727.8	1,882.1	1,854.1	1,925.5	2,099.0
Wholesale and retail trade	3,422.6	3,447.2	3,638.4	3,821.7	3,998.0
Transportation, storage and telecommunications	274.8	285.8	279.0	260.5	272.8
Private and financial services	2,691.5	3,038.1	3,097.6	3,170.7	3,296.2
Community, social and personal services	930.0	947.2	869.7	922.9	1,109.4
Consumer credit and mortgages	7,760.2	8,355.9	8,382.5	9,057.6	9,414.1
Private transfers	737.3	744.7	662.7	602.3	655.9
Others	236.5	215.8	188.8	169.8	161.8
Total private sector loans	24,348.8	25,531.0	25,609.2	26,444.4	27,560.5
Total public sector loans	1,150.3	1,406.5	2,480.1	3,074.8	4,292.6
Total loans	25,499.1	26,937.5	28,089.3	29,519.2	31,853.1

(1) Converted from *quetzales* to U.S. dollars at the reference exchange rate published by the Bank of Guatemala for December of each year.

Source: Superintendency of Banks.

**Loans of the Financial System by Economic Sector
(as a % of total loans)**

	As of and for the year ended December 31,				
	2016	2017	2018	2019	2020
Private sector:					
Agriculture, livestock, fishing and forestry	5.9	5.5	4.9	4.5	4.1
Mining and quarries	0.1	0.1	0.1	0.3	0.2
Manufacturing	11.3	11.3	11.3	10.8	10.2
Electricity and water	8.5	7.7	7.3	6.5	6.1
Construction	6.8	7.0	6.6	6.5	6.6
Wholesale and retail trade	13.4	12.8	13.0	12.9	12.6
Transportation, storage and telecommunications	1.1	1.1	1.0	0.9	0.9
Private and financial services	10.6	11.3	11.0	10.7	10.3
Community, social and personal services	3.6	3.5	3.1	3.1	3.5
Consumer credit and mortgages	30.4	31.0	29.8	30.7	29.6
Private transfers	2.9	2.8	2.4	2.0	2.1
Others	1.0	0.8	0.6	0.5	0.5
Total private sector loans	95.5	94.8	91.2	89.6	86.5
Total public sector loans	4.5	5.2	8.8	10.4	13.5
Total loans	100.0	100.0	100.0	100.0	100.0

Source: Superintendency of Banks.

Interest rates float freely without governmental restraints. The weighted average bank lending rate was 15.61% in 2016, 15.68% in 2017, 15.67% in 2018, 15.68% in 2019 and 15.46% on December 31, 2020.

The following table sets forth information in *quetzales* regarding interest rates for loans and deposits, for the years indicated.

**Interest Rates on Commercial Bank Loans
(Denominated in *quetzales* (%))**

	Year ended December 31,				
	2016	2017	2018	2019	2020
Loans.....	13.35	13.31	13.05	12.95	12.55
Weighted average interest rate for total loans	15.61	15.68	15.67	15.68	15.46
Real	11.38	10.00	13.36	12.27	10.64

Source: Superintendency of Banks.

**Interest Rates Paid by Commercial Banks
(Deposits in *quetzales* (%))**

	Year ended December 31,				
	2016	2017	2018	2019	2020
Savings deposits.....	1.85	1.89	1.94	1.96	1.88
Fixed-rate term deposits.....	7.05	6.87	6.62	6.31	5.72
Weighted average interest rate for total deposits....	4.70	4.71	4.53	4.26	3.77
Real	0.47	(0.97)	2.22	0.85	(1.05)

Source: Superintendency of Banks.

Liquidity and Credit Aggregates

There are several money supply measures currently in place in Guatemala. The most significant are M1, M2 and M3, which generally are composed of the following:

- M1: currency held by the public and demand deposits;
- M2: M1 plus savings and time deposits; and
- M3: M2 plus bonds held by the public.

As of December 31, 2020, the annual change rate of M2 was 17.3%. The behavior of this monetary aggregate has been consistent with the fluctuations in inflation and economic growth, meaning that no significant inflationary pressures have arisen from monetary expansions.

In 2020, the banking system's credit to the private sector grew by 4.8% compared to 2019 driven mainly by an increase in large business and an improvement in consumer loans.

The following table sets forth the composition of the Republic's monetary base (expressed in terms of the Bank of Guatemala's monetary liabilities) and international reserves as of the dates indicated.

**Monetary Base and the Bank of Guatemala's International Reserves
(in millions of US\$⁽¹⁾ and *quetzales*)**

	As of December 31,				
	2016	2017	2018	2019	2020
Currency in circulation	3,908.1	4,573.9	4,914.4	5,717.0	7,216.4
Commercial bank deposits at the Bank of Guatemala.....	3,943.0	4,458.5	4,283.4	4,573.9	6,036.6
Monetary base	7,851.1	9,032.4	9,197.8	10,290.9	13,252.9
Gross international reserves.....	9,160.4	11,769.5	12,755.6	14,789.0	18,468.2
Net international reserves	9,160.4	11,769.5	12,755.6	14,789.0	18,468.2

(1) Converted from *quetzales* to U.S. dollars at the reference exchange rate published by the Bank of Guatemala for December 31 of the year indicated.

Source: Bank of Guatemala

The following table sets forth liquidity and credit aggregates as of the dates indicated.

Liquidity and Credit Aggregates
(in millions of US\$ and *quetzales*)⁽¹⁾

	As of December 31,					
	2016		2017		2018	
	US\$	Q	US\$	Q	US\$	Q
Monetary aggregates:						
Currency in circulation.....	3,908.1	29,397.1	4,573.9	3,908.1	29,397.1	4,573.9
M1	10,571.2	79,517.6	11,767.2	10,571.2	79,517.6	11,767.2
M2	28,466.9	214,131.7	31,593.9	28,466.9	214,131.7	31,593.9
M3	29,682.4	223,274.6	33,033.9	29,682.4	223,274.6	33,033.9
Credit by sector ⁽²⁾:						
Public sector ⁽³⁾	1,150.3		1,406.5		2,480.1	
Private sector ⁽⁴⁾	24,221.7		25,738.5		26,137.0	
Other ⁽⁵⁾	120.2		123.0		119.6	
Total credit aggregates	25,492.2		27,268.0		28,736.7	
Deposits⁽²⁾⁽⁶⁾:						
Local currency.....	19,656.1		21,696.1		21,993.1	
Other	4,902.8		5,323.9		5,894.4	
Total deposits.....	24,558.9		27,020.0		27,887.5	

	As of December 31,			
	2019		2020	
	US\$	Q	US\$	Q
Monetary aggregates:				
Currency in circulation.....	5,717.0	44,014.3	7,216.4	56,243.0
M1	13,789.6	106,164.1	17,060.8	132,969.1
M2	36,196.9	278,673.9	42,442.4	330,788.4
M3	37,693.8	290,198.3	43,863.7	341,865.4
Credit by sector⁽²⁾:				
Public sector ⁽³⁾	3,074.8		4,292.6	
Private sector ⁽⁴⁾	27,644.3		28,960.8	
Other ⁽⁵⁾	162.5		176.1	
Total credit aggregates	30,881.6		33,429.5	
Deposits⁽²⁾⁽⁶⁾:				
Local currency.....	24,568.2		28,197.7	
Other	5,911.6		7,028.3	
Total deposits.....	30,479.8		35,226.0	

(1) Converted from *quetzales* to U.S. dollars at the reference exchange rate published by the Bank of Guatemala for December 31 of the year indicated.

(2) The discrepancy between main aggregates and the sum of its components is due to rounding.

(3) Includes the Government, non-financial public companies, pension funds, decentralized entities and local governments.

(4) Includes non-financial and financial institutions, households and non-profit institutions.

(5) Includes finance firms.

(6) Commercial bank deposits.

Source: Bank of Guatemala.

The following table sets forth the principal monetary indicators as of the dates indicated.

Principal Monetary Indicators
(in millions of US\$⁽¹⁾ and *quetzales* and %⁽²⁾ change from prior year)

	As of December 31,								
	2016			2017			2018		
	US\$	Q	%	US\$	Q	%	US\$	Q	%
Monetary issue	4,715.9	35,473.8	8.1	5,422.1	39,823.9	15.0	5,713.2	44,202.4	5.4
Monetary base	7,851.1	59,057.1	15.9	9,032.4	66,340.9	15.0	9,197.8	71,162.9	1.8
M1	10,571.2	79,517.6	7.5	11,767.2	86,427.6	11.3	12,092.0	93,555.0	2.8
Quasi money.....	15,555.9	117,013.2	8.3	17,271.5	126,855.1	11.0	18,148.9	140,417.0	5.1
M2	28,466.9	214,131.7	8.1	31,593.9	232,050.2	11.0	32,801.9	253,786.9	3.8

	As of December 31,					
	2019			2020		
	US\$	Q	%	US\$	Q	%
Monetary issue	6,622.8	50,987.7	15.9	8,237.4	64,201.1	24.4
Monetary base	10,290.9	79,227.7	11.9	13,252.9	103,290.9	28.8
M1	13,789.6	106,164.1	14.0	17,060.8	132,969.1	23.7
Quasi money.....	19,914.3	153,316.8	9.7	22,099.0	172,236.0	11.0
M2	36,196.9	278,673.9	10.3	42,442.4	330,788.4	17.3

(1) Converted from *quetzales* to U.S. dollars at the reference exchange rate published by the Bank of Guatemala for December 31 of the year indicated.

(2) Percentage changes are based on amounts in U.S. dollars.

Source: Bank of Guatemala.

Supervision of the Financial System

The following table sets forth information regarding the risk categories and loan-loss reserve requirements in effect as of September 30, 2020.

Risk Categories and Required Loan-loss Reserves
(as a % of total loans of financial systems)

Category	Loan-loss reserve	Microcredit Loans	Consumer Loans	Minor Commercial and Mortgage Loans
		Criteria (days past due)	Criteria (days past due)	Criteria (days past due)
A	—	0 days	0 to 30 days	0 to 30 days
B	5.0	1 to 30 days	31 to 60 days	31 to 90 days
C	20.0	31 to 60 days	61 to 120 days	91 to 180 days
D	50.0	61 to 90 days	121 to 180 days	181 to 360 days
E	100.0	over 90 days	over 180 days	over 360 days

Source: Superintendency of Banks. Resolution JM-93-2005, modified by Resolution JM-99-2020, articles 31 and 32

Credit senior commercial debtors are assessed by payment capacity. The regulation for credit risk administration (Resolution JM-93-2005, article 30), establishes the criteria for each risk category based on the payment capacity and the default of each debtor.

The following table sets forth information regarding loans of the banking system by risk category as of September 30, 2020.

**Classification of Aggregate Assets of the Guatemalan Financial System
(amounts in millions of US\$)⁽¹⁾**

Category	Banks	Finance Firms	Offshore Banks	Total	Percentage
A	23,273.8	94.4	7,502.6	30,870.8	89.0
B	923.5	2.0	524.1	1,449.6	3.6
C	524.6	1.1	201.8	727.5	2.1
D	212.0	0.8	102.1	315.1	0.8
E	1,088.0	3.8	628.9	1,720.7	4.3
Total	26,022.1	102.1	8,959.5	35,083.7	100.0

(1) Converted from *quetzales* to U.S. dollars at the reference exchange rate published by the Bank of Guatemala as of September 30, 2020.

Source: Superintendency of Banks.

As of December 2020, the indicator of past-due-loans was 1.8% of total loans. The following table sets forth information regarding past-due loans as percentage of total loans.

**The Guatemalan Financial System—Non-Performing Loans
(as a % of total loans)**

	<u>As of December 31,</u>
2016	2.0
2017	2.3
2018	2.2
2019	2.2
2020	1.8

Source: Superintendency of Banks.

Banking System Performance

The assets of the banking system stood at Q394,066.5 million (US\$50,561.4 million) as of December 31, 2020, having increased by Q44,382.3 million (US\$5,694.6 million) or 12.7% year over year. The loan portfolio of Q198,060.5 million (US\$25,412.5 million) was 50.3% of total assets, an increase of Q10,809.9 million (US\$1,387.0 million), or 5.8%, in comparison to December 2019. This growth was consistent with the projection of credit growth between 5.5% and 8.5%, of the Bank of Guatemala.

The investment portfolio of banks consists mainly of securities issued by the Government and the Bank of Guatemala. As of December 31, 2020, investments reached Q118,315.6 million (US\$15,180.7 million), an increase Q17,715.8 million or 17.6%, as compared to December 31, 2019.

Non-performing loans were 1.8% of total loans as of December 31, 2020, lower than the prior year.

Coverage of the non-performing loan portfolio improved markedly due to increasing levels of reserves in compliance with the provisioning program as defined in Resolution JM-167-2008, which modifies Resolution JM-93-2005 on this issue. As of December 31, 2020, the coverage rate for non-performing loans was 197.4%.

The structure of the liabilities of the Guatemalan banking sector shows a strong base of domestic deposits. As of December 31, 2020, deposits stood at Q305,093.7 million (US\$39,145.6 million), having increased by Q43,234.6 million (US\$5,547.3 million) representing an 16.5% increase as compared to December 31, 2019. Term deposits were 39%, demand deposits 37% and savings (passbook) deposits were 24% as of that date. Loans outstanding, which are mainly external credit lines granted by foreign correspondent banks, which, were Q35,222.4 million (US\$4,519.3 million) as of December 31, 2020, a decrease of Q3,650.5 million (US\$468.4 million) or - 9.4%, as compared to December 31, 2019.

In recent years, the capitalization of the Guatemalan banking system has been strengthened by the rise of stockholders' equity to Q36,616.9 million (US\$4,698.2 million) as of December 31, 2020, an increase of Q2,352.2

million (US\$301.8 million) or 6.9%, as compared to December 31, 2019. This was the result of a Q1,856.8 million (US\$238.2 million) increase in capital reserves.

The Banks and Financial Groups Law requires a 10% minimum capital requirement to its banks. The strengthening of banks, as measured by the capital adequacy ratio, was 16.1% as of December 31, 2020.

Bank liquidity, as measured by the cash reserve ratio, has remained stable in recent years, and was 51.6% as of December 31, 2020.

As of December 31, 2020, profits of the banking system were Q5,101.6 million (US\$654.6 million), a decrease of Q32.9 million (US\$4.2 million) or 0.6%, as compared to December 31, 2019.

Regulation of the Financial System

The Superintendency of Banks, acting under the direction of the Monetary Board, supervises and inspects financial institutions. The Monetary Board proposes a list with three candidates from which the President chooses and appoints the Superintendent of Banks for a four-year term. Banks are required to submit reports issued by external auditors regarding their credit portfolios and liabilities. According to the Organic Law of the Bank of Guatemala, the Bank of Guatemala may extend emergency advances to banks facing liquidity problems.

As a result of a 2002 monetary and financial reform, which included the approval of the Banks and Financial Groups Law, certain regulations were enacted to address risk management, disclosure of information, the deposit insurance, market exit regime, penalty regime, and minimum requirements for hiring external auditors auditing and its scope. These regulations are based on best international practices and standards regarding prudential matters.

The regulatory framework establishes that all banks must have implemented risk management committees and adopted risk management manuals. In addition, the banking system is in compliance with the principle of “know-your-customer” and other principles to comply with international standards of anti-money laundering and prevention of terrorism financing. The Law Against the Laundering of Money and Other Assets criminalizes money laundering as well as conspiracy and attempt to commit money laundering. Furthermore, arrangements for sharing information with other supervisors under protection of confidentiality are in place.

The reserve requirement for banks (also known as the “*encaje*”) consists mainly of a compulsory deposit with the Bank of Guatemala of an amount equal to 14.6% of total deposits. In addition to this mandatory reserve requirement, the banks must deposit with the Bank of Guatemala 14.6% of funds from the issuance of bonds and promissory notes. The same percentages apply to operations in foreign currency.

The Regulation to Determine the Minimum Amount of Required Capital for Risks Exposure (2004) classified assets and contingencies according to its risk level in order to estimate the individual amount of capital required for each bank. The Credit Risk Management Regulation (2005) regulated the credit process, the minimum information of financial appliers or debtors, guarantees, valuation and classification of credit assets, and specific and general provisions, the latter assured that the banking system had 197.4% coverage of the overdue portfolio. The Liquidity Risk Management Regulation (2009) required financial entities to estimate its liquidity risk exposure and tolerance level and also to have liquid assets in a timely manner in order to assure the fulfillment of their immediate financial obligations.

The Credit Exchange Risk Regulation (2009) stated capital requirements to cover losses resulting from unpaid foreign exchange balances. The Comprehensive Risk Management Regulation (2011) states that financial institutions, through their Board of Directors, have to set the process to identify, measure, monitor, control, prevent and mitigate credit, market, operational, country and other inherent risks related with the banking and financial business. Furthermore, the Technology Risk Management Regulation (2011) enhances the overall risk management scheme by requiring financial institutions to set risk management practices in order to include technology risk in the scope of both the Board of Directors and the Risk Management Committee. This poses an important element of the comprehensive risk management effort since financial institutions rely heavily on information technology to carry out their activities.

The Operational Risk Management Regulation (2016) imposes an obligation to develop and implement comprehensive processes that include, among others, operational risk management. The Corporate Governance Regulation (2016) regulates the minimum requirements that must be observed by banks, financial companies, offshore entities authorized by the Monetary Board to operate in Guatemala, companies specialized in financial

services that are part of a financial group and holding companies of financial groups, in relation to the adoption of best corporate governance practices, as an essential basis for comprehensive risk management processes, as well as an effective internal control system. In addition, the Market Risk Management Regulation (2016) was issued in order to identify, measure, monitor, control, prevent and mitigate contingencies of an institution incurring losses as a result of adverse movements in market prices.

The Banking Agents Regulation (2010) and the Mobile Financial Services Regulation (2011), seek to address financial inclusion by bringing back basic banking services to Guatemala's rural areas and financially excluded segments of the population. In April 2019, the Monetary Board issued regulation creating and governing the Financial Inclusion Commission (the "COMIF"), a commission formed by the President of the Monetary Board who is also the President of the Bank of Guatemala, the Minister of the Economy and the Superintendent of Banks. The main function of the COMIF is to establish the national financial inclusion strategy, and coordinate efforts and inter institutional cooperation to monitor the implementation of the aforementioned strategy. This regulation seeks to increase access and use of reliable, efficient and adequate financial products that respond to the needs and living conditions of the population.

The market exit regime rules are stated in the Assets and Liabilities Exclusion Board Regulation (2002), which provides for suitability and functions of all people who comprise such board, as well as faculties regarding the assets and liabilities exclusion process. Regulation for the Savings Protection Fund (2002) sets forth the role of the fund in the mentioned process of exclusion of the suspended bank. These mechanisms were applied in the successful market exit of Banco del Café, S.A. (failed in 2006) and Banco de Comercio, S.A. (failed in 2007). Such rules have been improved and implemented to strengthen the Deposit Insurance Funds by regulation issued in 2013, as well as the new framework or resolution process updated by the regulation issued in December 2016. More recently, in 2017, the Superintendent of Banks issued a circular based on international standards in order to enhance the framework for insolvency processes, requiring all banks to develop and submit contingency recovery plans.

Regarding domestic cooperation, Governmental Agreement No. 132-2010, in force as from May 21, 2010, created an Inter-Institutional Coordinating Committee called "Presidential Commission to Coordinate Anti-Money Laundering and Counter Terrorist Financing efforts in Guatemala," constituted by the Vice President of the Republic (presiding and coordinating), the Minister of Foreign Affairs, the Minister of the Interior, the Secretary of Strategic Intelligence from the Presidency of the Republic, the Civil Intelligence General Director, the Superintendent of Internal Revenue, and the Superintendent of Banks; with the capability of inviting the President of the Judiciary Body and Supreme Court of Justice and the Head of the Public Prosecutor's Office. The committee has also invited the president of the Bank of Guatemala, the Minister of Economy, and the General Secretary for Management of Forfeited Property.

In addition, draft bill No. 5157, currently being discussed in Congress, proposes to introduce to legislation a range of extraordinary measures to preserve financial stability. Some of such measures include the following: funding for bank's capitalization, extraordinary funding and increase of the deposit protection fund coverage, implementing the concept of "Open Bank" which consists in keeping a particular financial institution temporarily open and operating; mainly to protect the savers and their deposits; The Superintendency of Banks has been supporting some others-important draft bills on subjects such: (a) securities market, (b) savings and credit cooperatives, (c) leasing, (d) insurance contract and (e) credit bureaus, among others.

The draft bill No. 5820 "Law for the Prevention and Suppression of Money or Other Assets Laundering and Terrorism Financing" presented on August 6, 2020 by the Executive Branch to the Congress of the Republic, which will update the current Anti-Money Laundering Law (Decree 67-2001), is a comprehensive law that clearly defines the systems for prevention of money laundering. The draft bill presupposes an update of the national regulations, which would help the country to strengthen the regimes for the prevention of money laundering and the financing of terrorism. If approved, the law would allow the State of Guatemala to improve its level of compliance in line with international standards and the various treaties and agreements adopted by the country on this issue. At the same time, it would provide the competent authorities with the legal tools necessary for the effective prevention of such crimes, protecting the national economy and the stability of the Guatemalan financial system. On November 11, 2020, the draft bill No. 5820 was reviewed by Congress and referred to the committees of public finance and currency, and of economy and foreign trade, for their review. As of the date of this offering memorandum, the draft bill No. 5820 is still pending to be approved by Congress.

Amendments to Banking and Financial Groups Law (2012)

On September 26, 2012, the Congress of the Republic issued Decree No. 26-2012, which introduced important amendments to the Banks and Financial Groups Law and the Organic Law of the Bank of Guatemala. These reforms, that took effect as of April 1, 2013, reinforce the institutions' licensing and functioning regime and also bank resolution mechanisms. Moreover, these reforms also strengthen prudential issues of the financial regulation and promote market discipline.

The most significant reforms include the following:

Institutions Licensing and Functioning Regime

In connection with the participation of legal entities as organizers and/or shareholders of banks, an exemption was introduced to exempt them from the obligation to identify the final owners of shares of publicly traded entities listed in formal financial markets, when they have a credit rating conferred by a highly recognized rating agency.

With regards to authorized offshore banking, it is now required that institutions report in writing to their depositors that the legal regime applicable to their deposits is related to the country where such entities are incorporated. Also, it was established that all deposit accounts must meet a minimum amount, both in terms of account opening value and average monthly balance. If this minimum is not met then the account must be canceled.

The legal grounds to revoke the operating license of offshore entities have been increased, among which are the following: the conviction for money laundering or financing of terrorism, submitting either false information or documentation, the closing of the entity, the exit of its financial group, and presenting significant capital impairment.

With regard to the Bank of Guatemala's role as a lender of last resort, the maximum amount of credit to be granted to commercial banks with liquidity needs was increased. In addition, the period in which commercial banks have to repay such credit was extended.

Prudential Issues

With regards to investment limits for banks, the more important changes are the following: limits will also apply to offshore entities and entities specialized in financial services, all connected parties will be considered one single risk unit so all of them are to be subject to one single limit, a limit was introduced for offshore entities investments in foreign sovereign debt, and a limit was introduced for banks and financial firms investments in foreign sovereign debt. Also, the excess of these limits shall be deducted from regulatory capital which will directly affect the capital ratio. Additionally, the reforms provide for that all funding granted to connected parties must be approved by the corresponding entity's board of directors.

It was established that the Superintendency of Banks may limit distribution of dividends for banks, financial firms and offshore entities, when deemed necessary to strengthen the liquidity or solvency of the corresponding entity.

With regards to regulatory capital requirements, the reforms adjusted Tier 1 capital so that its components constitute stable and permanent resources. Hybrid bonds may be included within Tier 2 capital. The obligation to use a cumulative discount factor in the final years of maturity of subordinated debt was also established within the law.

Market Discipline

As a key factor for strengthening market discipline for banks, financial firms and offshore entities, such entities are required to obtain a credit rating issued by an internationally recognized rating agency. Such agency must be registered with the Superintendency of Banks.

Bank Resolution Mechanisms

Based on the authority and faculties of the Assets and Liabilities Exclusion Board, the reallocation of an intervened entity's assets can be carried out by an amount equal to the liabilities set out in law and the disposition of these assets may be effectuated through auction processes. In addition, the reallocation of liabilities of any intervened financial entity, when the estimated value of assets allows it, the specific priority of distribution of liquidation proceeds may be determined for liabilities for exclusion as follows: deposits, bonds and promissory

notes. Notwithstanding, that the Monetary Board may authorize the Assets and Liabilities Exclusion Board to dispose of assets and transfer liabilities to financially sound foreign banks, which will be authorized then to temporarily operate in the country as a branch of a foreign bank.

Within the funding sources of the deposit insurance funds (“FOPA”), government contributions may be used to strengthen the financial position of the Fund, at the request of the Bank of Guatemala. Banks operating in Guatemala are required to pay fees to contribute to the FOPA. These fees are fixed and variable. The fixed fee is Q2.00 per Q1,000 of deposits, and the variable fee is determined based on the risk posed by the respective bank, up to a maximum of Q2.00 per Q1,000 of the balance of total deposits.

Reforms to Banks and Financial Groups Law

On May 26, 2016, Congress issued Decree No. 28-2016 which contains amendments to the Banks and Financial Groups Law. This Decree prohibits creditors or collection agents from oppressing, annoying or abusing debtors in an insistent and repetitive way during the process of debt collection, limits the number of times collection requests can be sent or made to twice a day by any means, prohibits the communication, for the purpose of recovery, with a person other than the debtor and prohibits the posting of notices in places near the residence or work of the debtor in order to embarrass the debtor. In addition, a specific prohibition on the use of harassment and abusive practices in collections by banks and financial groups, managers, collection agencies or others acting on their behalf, including independent professionals.

The Banks and Financial Groups Law (Decree No. 19-2002) was further amended on August 13, 2016 through Decree No. 37-2016. This decree permits the SAT to gain access to banking information pursuant to a judicial order by a competent judge. The competent judge has the power to decide on the pertinence of the information sought by the SAT.

The decree also amends Article 113, which imposes the requirements for the operation of offshore entities in Guatemala, establishing that they must present in detail the information of their assets and liabilities. Finally, the decree states that these entities are required to respond to requests for information from the SAT regarding depositors and investors, in accordance with what is established in Article 63 of the Guatemalan banks and financial groups law and the Guatemalan tax code.

Reforms to bank regulations

In the first trimester of 2018, Corporate Governance and Banks Stock Purchase regulations were amended to enhance the requirements for persons to serve as members of the board of directors and stockholders of banks. In particular, under these regulations members of the board of directors and stockholders must promote the high standards of economic solvency, seriousness, knowledge, experience and responsibility that assure financial support, appropriate administration and reputation of the bank throughout the time they are either working for the bank or holding stock of the bank.

In the second quarter of 2019, the Monetary Board authorized the expansion of funding sources for banks, allowing them to obtain loans by non-bank financial institutions, cooperation entities and development entities, located outside of Guatemala.

Inflation

The inflation rate from 2016 through 2020 was, on average, 4.1%, within inflation target range set by the Bank of Guatemala for those years (4.0% +/- 1 percentage point). During the first quarter of 2011, oil prices increased due to geopolitical factors in some countries in the Middle East (*i.e.*, Egypt and Libya). Moreover, in 2010 and 2011, corn and wheat prices increased significantly, which, in turn, had an important impact on food prices. During the first half of 2011, the prices for yellow and white corn increased sharply, but then decreased during the second half of the year.

In addition, internal factors, such as weather phenomena including tropical storm Agatha, the eruption of a volcano near Guatemala City in 2010, and the Tropical Depression in 2011, had a moderate effect on agricultural output. In 2012, the inflation rate was impacted by a number of factors including, among others, the decrease in the average price of propane and white corn, and also by stable oil prices. At the end of 2012, a reduction in worldwide demand led to lower international prices, especially in developed economies (including the U.S. and European Union). In 2012, food prices were key factors in inflation rate trajectory, as well as propane prices, which showed a downward tendency due to strategic competition between companies.

In 2013, propane prices returned to normal levels, although food prices, especially prices of vegetables and meats experienced volatility throughout the year. Also gasoline prices were determinant in the resulting inflation rate during 2013.

From the second half of 2014 through the third quarter of 2015, lower oil prices generated downward pressures on inflation, which offset the effects of increasing food prices; however, since October 2015, that favorable effect has declined and food inflation impact is now more relevant. During 2014, the inflation rate stayed within the target range (4.0%, +/- 1%), although in the last quarter, the inflation rate reflected a slowdown, mainly due to the drastic downturn in the international oil prices. In 2015, the effect of lower fuel prices was partially offset by the increase in the food and beverage prices, with rates up to four times higher than total inflation. For 2015, the inflation rate was 3.1%, inside the inflation target range set by the Bank of Guatemala.

In 2016, inflation was affected by an increase in food prices, especially for vegetables and fruits, due to a domestic supply shock as a result of adverse weather conditions. Energy prices also boosted inflation due to an increase in fuel and electricity prices, mainly in the second half of the year, as a consequence of higher oil prices. For 2016, inflation registered a rate of 4.2%, along the lines of our inflation target.

During 2017, temporary supply shocks and a seasonal increase in internal and external demand, mainly for vegetables and fruits, affected inflation. However, on average, the inflation rate remained within the target range during the year. In addition, inflation was influenced by fuel prices, particularly in the last quarter of 2017, and in that same quarter, the inflation rate reached its highest increase since 2013 due to an escalation in food prices. For 2017, inflation registered a rate of 5.7%, along the lines of our inflation target.

During 2018, supply shocks that affected the prices for vegetables and fruits in 2017 dissipated. However, energy prices (gasoline, diesel and propane gas) increased in accordance with increases in international oil prices. Notwithstanding the foregoing, on average, the inflation rate remained within the target range throughout 2018.

In 2019, the annual inflation rate stayed within the target range (4.0%, +/- 1%), mainly because of the effect of higher food prices, primarily vegetables and fruits, which were impacted by seasonality and both internal and external demand. This impact was offset by lower fuel and propane prices, which had a pass-through effect on the cost of other goods and services. In addition, the lack of rain in the eastern part of the country also known as the “dry corridor” and excessive rain in the western part of the country, which resulted in flooding of cultivated lands, both resulted in higher food prices.

In 2020, the COVID-19 pandemic and the measures undertaken by the Government to contain its spread had an important impact on food prices, energy prices and domestic transport prices, however the annual inflation rate remained within target range (4.0% +/- 1%). Food prices were affected by a demand shock during the first half of the year and by a domestic supply shock in the second half of the year, mainly in vegetables and fruits. International oil prices also affected internal energy prices especially gasoline, diesel and electricity. Additionally, transportation prices were affected by restrictions implemented by the Government in order to prevent the spread of COVID-19.

The following table sets forth changes in the consumer price index for the years indicated.

**Variation in Consumer Price Index
(%)**

At December 31,	End of Period
2016	4.2
2017	5.7
2018	2.3
2019	3.4
2020	4.8

Source: Bank of Guatemala and INE.

Since April 1, 2011, the consumer price index has been calculated using information from a new basket of goods (as of December 31, 2010, equal to 100). This basket compiles information from eight geographical regions in 24 major urban centers with a total of 441 varieties of products (including goods and services). The previous basket (as of December 31, 2000, equal to 100) was in place until March 31, 2011 and included 424 varieties of

products (including goods and services). To date, the modification of the basket has not had a material effect on Guatemala's inflation rate.

International Monetary Reserves

Guatemala's net international reserves for December 31, 2020 were US\$18,468.2 million, an increase of US\$3,679.2 million from the level recorded in December 31, 2019 (US\$14,789.0 million). Net international reserves held at the Bank of Guatemala as of December 31, 2020 would cover 12.1 months of imports (10.8 in 2019), or the equivalent of 20.9 times the amount of the country's public sector external debt service in one year (18.4 times in 2019).

The following table sets forth the net international reserves of the banking system as of the dates indicated.

Net International Reserves of the Banking System (in millions of US\$)⁽¹⁾

	As of December 31,				
	2016	2017	2018	2019	2020 ⁽³⁾
Bank of Guatemala:					
Assets ⁽²⁾	9,160.4	11,769.5	12,755.6	14,789.0	18,468.2
Liabilities.....	—	—	—	—	—
Total.....	9,160.4	11,769.5	12,755.6	14,789.0	18,468.2
Commercial private banks:					
Assets.....	570.3	650.0	962.2	736.8	899.4
Liabilities.....	(4,939.5)	(5,366.2)	(5,257.3)	(4,859.8)	(4,485.9)
Total.....	(4,369.2)	(4,716.2)	(4,295.1)	(4,123.1)	(3,586.4)
Net international reserves of the banking system.....	4,791.2	7,053.3	8,460.5	10,665.9	14,881.8

(1) Converted from *quetzales* to U.S. dollars at the reference exchange rate published by the Bank of Guatemala for the dates indicated.

(2) Amounts also reflect the gross international reserves of Bank of Guatemala.

(3) Preliminary data.

Source: Bank of Guatemala.

Gold Reserves

At December 31, 2020, the total amount of gold reserves of the Bank of Guatemala was US\$419.1 million, as compared to US\$337.5 million at December 31, 2019.

Capital Markets

The Guatemalan capital markets have been steadily growing, aiming towards the modernization of the financial system. Guatemala continues to strive to create adequate legal frameworks in order to support the transparent and efficient operation of its capital markets and, to that end, several Government institutions have been developing proposals intended to implement adequate reform to the Securities Exchange Law, originally authorized by Congress in 1996. Guatemala currently has one stock exchange registered on the National Stock Market Registry, the Bolsa de Valores Nacional, S.A., which was originally developed in 1987 to trade outstanding securities. It also works with a sister company which serves as a central securities depository, Central de Valores Nacional, S.A. Currently, this entity operates as an interbank market on which overnight and short-term deposits are traded, as well as a trading platform for government debt securities, private debt and equity securities, with a significant repo market associated with publicly traded bonds. In recent years, Guatemalan sovereign bonds have been standardized and dematerialized, which is expected to contribute to the development of a more robust national secondary market.

Legal Framework

Guatemala has implemented a legal framework with the objective to support a transparent and efficient capital markets. The principal laws and regulations that govern Guatemala's capital markets are the Guatemalan Commercial Code (*El Código de Comercio de Guatemala*) (Decree No. 2-70) and the Capital Markets and Merchandise Law and its implementing regulation (*La Ley del Mercado de Valores y Mercancías y su reglamento*) (Decree No. 34-96, and its modifications 49-08). The Guatemalan Commercial Code is more general and sets forth rules and regulations for business entities. This law also governs the liability of shareholders, minimum capital requirements, type of shares, voting rights, rights of shareholders, transfers of registered shares and ordinary and extraordinary general meetings, among other areas.

The Capital Markets and Merchandise Law and its regulation regulates broker-dealers, and transactions in securities, public offerings, the stock markets, other financial agents and institutions (intermediaries). This law also regulates the Securities Market and Commodities Registry that has within its powers the registration of stock exchanges and also the scheduled suspension and cancellation of the registration of securities. The law also details the activities of stock exchanges, including registration of public offerings, the disclosure of information, as well as reporting requirements. Another area regulated under the law is public offerings by the Bank of Guatemala. The Registry of Securities and Commodities regulations promulgated under this law govern surveillance and monitoring.

In addition, the regulations promulgated under the Capital Markets and Merchandise law (Governmental Agreement Number 557-97), develops the operations, the administrative organization of the Registry of Securities and Commodities, the tariff for payment for services provided, the registration of over-the-counter securities and the updating of information by issuers in the over-the-counter market. Other regulations include the Regulation of Credit Rating Agencies (Governmental Agreement 180-2006), whose purpose is to regulate the registration, cancellation and performance of the rating agencies, including registration and qualification requirements.

The following table shows the volume traded on the *Bolsa de Valores Nacional S.A.*

**Volume traded on the National Stock Exchange
(in millions of US\$)⁽¹⁾**

As of December 31,				
2016	2017	2018	2019	2020
102,259.5	141,724.7	111,214.8	106,845.4	143,391.7

(1) Converted from *quetzales* to U.S. dollars at the official average daily exchange rate for each year.
Source: Bolsa de Valores Nacional S.A.

The following table shows the traded volume of private and public debt securities and by market.

**Total Volume of Debt Securities Traded
(in millions of US\$)⁽¹⁾**

As of December 31,	Private Debt		Public Debt	
	Primary	Secondary	Primary	Secondary
2016	341.5	10.7	820.2	179.2
2017	323.7	4.1	810.9	267.0
2018	225.3	6.2	1,292.7	224.7
2019	260.5	0.9	893.6	456.7
2020	264.0	7.3	1,689.0	311.5

(1) Converted from *quetzales* to U.S. dollars at the official average daily exchange rate for each year.
Source: Bolsa de Valores Nacional S.A.

PUBLIC SECTOR FINANCES

The public sector in Guatemala is composed of the Government; local governments; and non-financial and financial public institutions.

Public Sector Budget Process

The Constitution of Guatemala mandates that a general, centralized annual budget for revenue and expenditures of the Republic must be prepared and approved by Congress in November of each year for the following fiscal year. The Constitution allows some public entities to have separate budgets, but the budget must incorporate the level of transfers required by them, which will require the corresponding approvals by the executive branch and Congress. Although certain revenues are assigned for specific purposes, public revenues are centralized, and public sector entities are not allowed to finance through direct funding, except as permitted by law. The Constitution mandates a transparent use of public funds and forbids any confidential expenditure. Public entities that have private funds must publish their sources of income and their spending targets during the first six months of each year. According to the Constitution, the revenue and expenditures of the public sector are audited by General Comptroller's Office (*La Contraloría General de Cuentas*).

Government

The budget process is set forth in the Constitution and the Organic Budget Law (*Ley Orgánica del Presupuesto*). The Minister of Public Finance has the primary responsibility for preparing the budget proposal. At the beginning of each year, the Ministry of Public Finance, with the support of the Technical Commission of Public Finance, plans the strategy for the development of a budget for the current and following fiscal years. The President announces the annual goals established for each Ministry and agency, as well as the level of expenditure for each one. After consulting with the Bank of Guatemala, the SEGEPLAN and the Technical Budget Office (*Dirección Técnica del Presupuesto*), the Ministry of Public Finance prepares a preliminary budget. Thereafter, the Minister of Public Finance presents the preliminary budget to the Economic Cabinet composed of the Ministers of Agriculture, Livestock and Food, Mines and Energy, and Economy; the President of Bank of Guatemala; and the Secretary of Planning and Programming of the Presidency.

The Economic Cabinet analyzes the budget and presents its recommendations to the Ministry of Public Finance, who, in turn, presents it to the full Cabinet for the final approval by the Executive Branch. The President, through the Minister of Public Finance, must present the proposed budget to Congress on September 2 of each year. The Finance Committee of Congress evaluates the budget proposal and delivers its recommendations to Congress for consideration. Congress then has the authority to accept, reject or amend the budget as proposed. If the budget for next year is not approved by Congress, the Organic Budget Law mandates that the current budget shall apply the following year, with any changes that Congress may enact. Congress has until November of each year to approve the proposed budget.

The budget for 2019 was approved on November 27, 2018, pursuant to Decree No. 25-2018, and entered into effect on January 1, 2019. The budget for 2020 and 2021 was not approved within the term established by the Political Constitution of the Republic of Guatemala, therefore, the 2019 budget was in effect for fiscal year 2020 and remains in effect for the current fiscal year. See “Risk Factors—Risk Factors related to Guatemala—The 2021 budget was not approved.”

Other Public Sector Entities

The Government budget allows transfers from the Government to public entities. The budget process for public entities differs from the Government's own process.

Each non-financial public institution and public enterprise prepares its own budget proposal under the supervision of the Technical Budget Office, taking into account any transfers made to the entity within the Government's budget. The National Electrification Institute (*Instituto Nacional de Electrificación*, or “INDE”) is the only public enterprise exempted from the general budget process. This institution prepares its own budget that is submitted to the Technical Budget Office for evaluation and elaboration of the corresponding governmental agreement to be included in the budget. Each non-financial public institution submits its proposal to the Technical Budget Office for evaluation and presents its recommendation to the Minister of Public Finance for review and approval. The Technical Budget Office then prepares the governmental agreement in the budget of the non-financial public institutions, which is signed by the Minister. The final budget of each non-financial public institution

incorporates the respective level of transfer that is specified in the final Government budget, promulgated by December the 1st of each year. The budget for each non-financial public institution for the next year must be approved by December 15 and, once approved, the budget will be sent to Congress for integration into the general budget.

Municipalities prepare their own budgets with the advice of the Municipal Development Institute (*Instituto de Fomento Municipal*). Municipal budgets are not subject to the approval of the Ministry of Public Finance or Congress. These autonomous and decentralized entities must act in accordance with the general policies of the nation. The Constitution mandates that 10% of the ordinary revenues of the general budget must be transferred to municipalities. This portion of Government revenues is distributed among the municipalities using a rule or formula provided.

Public financial institutions prepare their own budgets, taking into account any transfers to such institutions established in the Government budget. The *Universidad de San Carlos*, the only public university in the country, has the constitutional right to 5% of the ordinary revenues of the Government. In addition, this institution reports its financial situation and budget to the Government and Congress. For 2020, the budget transferred to the *Universidad de San Carlos* for the constitutional contribution was Q1,538.6 million.

Public enterprises, financial or non-financial, are legal entities created with the purpose of producing goods and services for the market. Public enterprises are subject to control by the Government, including the ability to determine an entity's policy through the designation of directors, if necessary. The Government is deemed to have control of an entity if the Government holds (i) more than half of the shares entitled to vote, (ii) controls more than half of the voting rights of the shareholders, or (iii) is legally authorized to determine the policies of the entity or assign directors of the entity.

Public enterprises report their earnings to the Government, but are financially independent. Accordingly, the Government is not required by law to record losses of such entities in its accounts, with the sole exception of *Crédito Hipotecario Nacional de Guatemala*, the only Government-owned bank in Guatemala, which has an unconditional and unlimited guarantee by the Government.

Public Budget

The public budget is the annual expression of the economic and social development strategy of the Government. The Organic Budget Law establishes that the amounts of revenues and expenditures of the Government set forth in the budget need not necessarily be completely used, as long as the programmed goals are achieved.

Current legislation allows for budgetary adjustments. Congress can increase the budget by decree and the Ministry of Public Finance is able to make appropriate adjustments within the budget, including cuts and suspension of credits, or modifications when current revenues or expenditures are lower than budget estimates. Budget changes may be made within its budget ceiling, via transfers between institutions involving the creation in some categories of expenditure, and in the financing sources within the same programs. In all cases, the transfers must be notified to the Technical Budget Office, within 10 days, for approval.

2021 Budget

The General Budget of Revenues and Expenditures for 2021 was not approved within the term established by the Political Constitution of the Republic of Guatemala. As a result, the budget approved by means of Decree No. 25-2018, which was extended by the Congress of the Republic by means of Decree Nos. 12-2020, 13-2020 and 20-2020 to respond to the COVID-19 pandemic, remained in force for 2021. Consequently, an opening budget of Q107,521.5 million was established for 2021.

This budget is intended to be financed mainly through tax revenues (59.5%) and other financial resources (40.5%), including approximately 33.1% to be financed through public credit. Approximately 19.5% of the total budget is earmarked for investment, 66.9% for general expenses and the remaining 13.6% to service public debt. The Ministries with the highest budget allocations are the Ministry of Education (16.4%), the MSPAS (9.1%), the Ministry of Social Development (7.0%), the Ministry of Communications, Infrastructure and Housing (6.3%) and the Ministry of the Interior (5.5%), accounting for a total of 44.3% of the budget. The Government estimates a fiscal deficit of 5.5% of GDP.

The following tables set forth the budgeted and actual Government expenses for 2020, and the budgeted Government expenses for 2021, by entity.

**2020 Government Budget
(in millions of US\$)⁽¹⁾**

Entities	Budgeted	Executed
Presidency of the Republic	29.9	26.3
Ministry of Foreign Affairs	77.4	70.9
Ministry of the Interior	780.2	660.5
Ministry of National Defense	342.7	325.0
Ministry of Public Finance	48.4	36.8
Ministry of Education	2,303.6	2,166.8
Ministry of Health and Social Assistance	1,290.2	1,116.1
Ministry of Labor and Social Security	92.6	84.2
Ministry of Economy	456.5	441.4
Ministry of Agriculture, Livestock and Food	205.5	145.3
Ministry of Communications, Infrastructure and Housing	896.0	623.3
Ministry of Energy and Mines	11.4	8.9
Ministry of Culture and Sports	71.1	46.5
Secretariats and other Executive Branches	184.1	148.3
Ministry of Environment and Natural Resources	18.4	15.2
Obligations of the State Treasury	4,272.8	3,915.7
Public Debt Services	1,892.1	1,738.8
Ministry of Social Development	964.0	926.2
Attorney General's Office	17.8	16.2
Total	13,954.6	12,512.6

(1) Converted from *quetzales* to U.S. dollars with average daily reference exchange, published by the Bank of Guatemala.
Source: Budget Technical Office, Ministry of Public Finance.

**2021 Government Budget
(in millions of US\$)^{(1) (2)}**

Entities	Budgeted
Presidency of the Republic	29.6
Ministry of Foreign Affairs	74.1
Ministry of the Interior	762.8
Ministry of National Defense	337.2
Ministry of Public Finance	48.9
Ministry of Education	2,258.0
Ministry of Health and Social Assistance	1,260.4
Ministry of Labor and Social Security	102.9
Ministry of Economy	359.7
Ministry of Agriculture, Livestock and Food	226.5
Ministry of Communications, Infrastructure and Housing	869.6
Ministry of Energy and Mines	10.4
Ministry of Culture and Sports	79.9
Secretariats and other Executive Branches	195.9
Ministry of Environment and Natural Resources	16.3
Obligations of the State Treasury	4,310.3
Public Debt Services	1,874.7
Ministry of Social Development	963.5
Attorney General's Office	15.0
Total	13,795.7

(1) Converted from *quetzales* to U.S. dollars at the annual reference exchange rate of December 31, 2020, published by the Bank of Guatemala.
(2) The Revenue and Egress Budget corresponds to the 2020 budget with the budget extensions approved by the Congress of the Republic in 2020, with the current budget being 2021. During fiscal year 2021, budgetary adjustments and changes will be made to meet the economic and social needs of the Guatemalan population.
Sources: Budget Technical Office and Ministry of Public Finance.

Government Accounts

The following table sets forth information regarding the public sector accounts for the years indicated.

Government Accounts (in millions of US\$⁽¹⁾ and as % of total GDP)

	As of and for the year ended December 31									
	2016		2017		2018		2019		2020	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
Fiscal revenue:										
Current revenues										
Taxes:										
Import duties	305.6	4.3	333.9	4.3	342.6	4.4	352.2	4.3	322.1	4.1
Taxes on goods and services (including VAT)	4,103.0	57.6	4,558.1	59.1	4,699.9	60.1	4,924.4	60.6	4,656.5	59.7
Estate and real estate taxes	3.1	—	4.1	0.1	3.7	—	5.5	0.1	1.6	—
Income taxes	2,705.8	38.0	2,810.4	36.4	2,777.2	35.5	2,840.2	34.9	2,825.1	36.2
Other	0.3	—	4.6	0.1	1.4	—	8.5	0.1	0.6	—
Total tax revenues	7,117.7	100.0	7,711.2	100.0	7,824.8	100.0	8,130.8	100.0	7,806.0	100.0
Non-Tax revenues⁽³⁾										
Social security contributions ..	266.6	60.9	256.2	59.7	260.7	59.3	303.0	60.3	331.3	69.1
Public services	55.9	12.8	57.3	13.3	53.3	12.1	57.4	11.4	46.9	9.8
Other	115.1	26.3	116.0	27.0	125.8	28.6	142.4	28.3	101.6	21.2
Total non-tax revenues	437.7	100.0	429.5	100.0	439.8	100.0	502.8	100.0	479.8	100.0
Current transfers	8.8	0.1	19.4	0.2	26.2	0.3	11.3	0.1	8.6	0.1
Other current revenues	—	—	—	—	—	—	—	—	—	—
Total current revenues	7,564.2	100.0	8,160.1	100.0	8,290.8	100.0	8,644.9	100.0	8,294.4	100.0
Capital revenues:										
Capital income	0.6	100.0	0.5	100.0	0.4	100.0	0.5	100.0	0.3	100.0
Total capital revenues	0.6	100.0	0.5	100.0	0.4	100.0	0.5	100.0	0.3	100.0
Total fiscal revenue	7,564.7	100.0	8,160.5	100.0	8,291.2	100.0	8,645.3	100.0	8,294.7	100.0
Expenditures:										
Current expenditures:										
Consumption expenditures	3,781.5	55.2	4,048.0	54.0	4,245.4	54.7	4,543.2	55.0	4,893.8	50.0
Interest on public internal debt	670.7	9.8	720.8	9.6	764.0	9.8	846.3	10.3	875.3	8.9
Interest on public external debt	345.4	5.0	368.0	4.9	364.2	4.7	412.4	5.0	462.5	4.7
Social security contributions	566.3	8.3	649.6	8.7	630.5	8.1	672.4	8.1	673.7	6.9
Current transfers	1,486.2	21.7	1,715.1	22.9	1,756.8	22.6	1,780.8	21.6	2,880.6	29.4
Total current expenditures	6,850.1	100.0	7,501.4	100.0	7,761.0	100.0	8,255.1	100.0	9,785.9	100.0
Capital expenditures:										
Real investment	168.4	2.0	284.6	3.1	516.8	5.3	645.3	6.2	379.2	3.1
Financial investment	1.0	—	7.1	0.1	4.7	—	0.6	—	431.3	3.6
Capital Transfers	1,278.3	15.4	1,358.9	14.8	1,387.7	14.4	1,469.6	14.2	1,515.2	12.5
Total capital expenditures	1,447.7	17.4	1,650.6	18.0	1,909.1	19.7	2,115.5	20.4	2,325.8	19.2
Total expenditures	8,297.8	100.0	9,152.0	100.0	9,670.1	100.0	10,370.6	100.0	12,111.7	100.0
Fiscal Balance:										
Current account balance	714.1	(97.4)	658.7	(66.4)	529.8	(38.4)	389.8	(22.6)	(1,491.5)	39.1
Capital account deficit	(1,447.1)	197.4	(1,650.1)	166.4	(1,908.8)	138.4	(2,115.0)	122.6	(2,325.5)	60.9
Fiscal surplus/(deficit)	(733.0)	100.0	(991.4)	100.0	(1,379.0)	100.0	(1,725.2)	100.0	(3,817.0)	100.0
Financing:										
Net foreign financing	542.6	74.0	160.5	16.2	60.4	4.4	898.0	52.1	1,338.6	35.1
Net domestic financing	528.6	72.1	965.1	97.3	1,291.4	93.6	632.1	36.6	2,640.2	69.2
Payment of monetary cost	—	—	87.9	8.9	—	—	—	—	—	—
Other financing sources	(338.1)	(46.1)	(46.2)	(4.7)	27.2	2.0	195.1	11.3	(161.9)	(4.2)
Total financing	733.0	100.0	991.4	100.0	1,379.0	100.0	1,725.2	100.0	3,817.0	100.0
GDP	66,035.0		71,625.3		73,209.8		77,003.5		77,598.9	
Nominal exchange rate	7.6		7.4		7.5		7.7		7.7	
Government revenues as % of GDP	11.5		11.4		11.3		11.3		10.7	
Government expenditures as % of GDP	12.6		12.8		13.2		13.5		15.6	
Surplus/(deficit) as % of GDP	(1.1)		(1.4)		(1.9)		(2.2)		(4.9)	

(1) Converted from *quetzales* to U.S. dollars at the average daily exchange rate for the applicable year.

(2) Preliminary.

(3) Includes foreign aid.

Source: Ministry of Public Finance.

Tax Regime

Taxes are collected by the SAT, except for some municipalities that directly collect real estate taxes, and other institutions such as the Guatemalan Institute of Tourism (*Instituto Nacional Guatemalteco de Turismo*, or “INGUAT”) and the Ministry of Energy and Mines, which collect exit taxes and taxes relating to mining and oil royalties, respectively. In 1998, the SAT was created with the support of the World Bank, with the goal of improving tax collection.

The ratio of tax revenues to GDP was 10.8% in 2016, 10.8% in 2017 and 10.7% in 2018. The ratio of tax revenues to GDP in 2019 was 10.6%, and 10.1% in 2020. Guatemala has historically experienced low levels of tax collection principally due to:

- business and commercial culture that accepts and assumes the non-payment of taxes;
- tax avoidance and evasion; and
- collection problems caused by difficulties in obtaining and managing information on taxpayers resulting from the invocation of constitutional provisions on privacy and bank secrecy to avoid sharing taxpayers’ financial information.

However, Guatemala is committed to reducing tax avoidance and tax fraud. In 2016, significant progress was made in combating fiscal fraud and corruption through the approval of a new legal framework set forth in Decree No. 37-2016 of Congress, which, among other things, sought to regulate banking secrecy. In this regard, this decree provided that information relating to bank accounts can be requested by the SAT (without knowledge of the relevant taxpayer) only under the order of a judge. This decree also created an administrative tax and customs court, which is responsible for resolving appeals in tax matters, and also created a new mechanism for the appointment of the superintendent of the SAT, where the superintendent is no longer appointed directly by the President of the Republic. The objective of this decree was to strengthen governance of the SAT.

However, the portion of Decree No. 37-2016 that provided for the SAT’s ability to request information relating to bank accounts without knowledge of the relevant taxpayer was temporarily suspended on August 17, 2018 pursuant to a resolution of the Constitutional Court. Notwithstanding the suspension, information may still be requested of a judge; however, notice of such request must be given to the relevant taxpayer, which creates the possibility of challenge by the taxpayer. As a result of the suspension, these types of requests became difficult to enforce. If the above-referenced provisions of this decree are permanently declared unconstitutional by the Constitutional Court, this could have a negative impact on future tax collection, in particular in coming fiscal years when ambitious collection targets have been established. Estimates of tax collections for the first quarter of 2019 fell short by US\$102.5 million.

During 2016, the SAT enforced existing law to intervene in companies in different sectors by means of a court order in connection with tax fraud investigations, allowing the SAT to control the intervened companies’ cash and bank accounts to guarantee payment of tax obligations, without impairing the day-to-day operations of such companies. In some instances, these interventions also involved criminal actions for tax fraud. Collections by means of court orders during 2016 totaled Q2,197.7 million (approximately US\$289.1 million), of which 77.5% corresponded to income tax and 21.6% corresponded to VAT, with the remaining 0.9% corresponding to other taxes. During 2017, collections by means of court orders totaled Q84.11 million (approximately US\$11.4 million), of which 79.3% corresponded to income tax and 11.7% corresponded to VAT, with the remaining 9.0% corresponding to other taxes. There were no collections by means of such court orders in 2018.

In 2019, the Constitutional Court revoked the provisional suspension of Article 30-C of the tax code, which regulates the capabilities of SAT to access banking information. As a result, beginning on November 25, 2019, the SAT regained access to taxpayers’ bank information to verify that a person’s or company’s bank income matches its tax returns.

Import Duties

For imports, the taxable basis is the customs value (or CIF value), including customs duties. VAT paid on imports and on local purchases and services may be deducted from VAT surcharged on sales or services rendered.

Taxes on Goods and Services (including VAT)

Guatemala has a value-added tax that is levied on the sale of goods, services, leases and imports. The general rate is 12%. In addition, exports are exempt from VAT. Similarly, other items are exempt for VAT purposes, such as: financial services; basic foods sold in rural and municipal markets up to Q100.00; sale of houses up to 60 square meters; services rendered by educational, social assistance and religious institutions; and sales of generic drugs of natural origin, among others. Initial sales of real estate in connection with registrations are subject to VAT at a rate of 12%, and subsequent sales of real estate are subject to stamp tax at a rate of 3%.

Income Taxes

Corporate income tax consists of the following regimes:

- (a) the general regime, which includes a corporate tax of 25% of net income (this rate was 31% until 2013 and 28% in 2014); and
- (b) the optional regime, which includes a flat tax of 5% for the first Q30,000 of gross revenue increasing to 7% for gross revenue above Q30,000 a month.

Individuals whose main income source comes from the rendering of personal services as employees under a labor regime, whose gross income is composed of salaries and wages, commissions, representation expenses, bonuses (including mandatory bonuses created by Decree No. 78-89) and other similar remunerations, are subject to a withholding tax on a progressive basis, at rates of 5% to 7%.

Income tax is also payable on income arising from the sale of goods, assets and/or interests. Profit from such sales is taxed at a 5% rate, and income from leases and capital gains are taxed at a rate of 10%.

Solidarity Tax

In December 2008, through Decree No. 73-2008, Congress created the Solidarity Tax-ISO on individuals and corporations, trusts, participation contracts, informal companies, branches, agencies or temporary or permanent establishments of foreigners operating in the country, commercial properties, community of goods, assets and other inherited undivided forms of business organizations, which have their own assets, carry out commercial or agricultural activities in the country and obtain a gross margin greater than four percent (4%) of their gross income. The current rate for the ISO is 1%, while the tax base is either one fourth of the net assets value, or one fourth of gross income, whichever is larger. ISO payments are accruable to the income tax.

Other Taxes

The tax revenues described above are complemented by a variety of other taxes which do not provide significant levels of revenue, including import duties, specific taxes on alcoholic beverages, tobacco, cement, and oil derivatives, stamp tax, vehicle registration, vehicle circulation and royalties, among others.

The following table sets forth the composition of tax revenues for the years indicated.

	Tax Revenues				
	(as a % of total tax revenue)				
	For the year ended December 31,				
	2016	2017	2018	2019	2020
Import duties	4.3	4.3	4.4	4.3	4.1
Taxes on goods and services (including VAT).....	57.6	59.1	60.1	60.7	59.7
Estate and real estate taxes	0.1	0.1	0.1	0.1	0.02
Income taxes	38.0	36.5	35.5	34.9	36.2
Other taxes	—	—	—	—	—
Total tax revenues	100.0	100.0	100.0	100.0	100.0

Source: SICOIN; Ministry of Public Finance.

During 2019, the collection of taxes was affected by adverse events, such as depreciation of the *quetzal*, fluctuations in the international price of oil, and the impediment that existed until the end of November that prevented the SAT from having access to bank information on taxpayers; at the end of November the Constitutional

Court again empowered the collecting entity so that it can verify that the bank income of a person or company matches its tax returns.

In 2020, tax collection was greatly affected by the COVID-19 pandemic and related public health response measures. The measures implemented, including stay and home orders and travel restrictions, had a direct impact on decelerating the national economy and foreign trade, resulting in the creation of a negative gap in tax collection of Q3,748.3 million from what was planned to be collected under the overall revenue budget.

Tax Reforms

In 2012, a substantial tax reform was enacted, including Decree No. 10-2012 (*Ley de Actualización Tributaria*, or the “2012 Tax Update Law”), which includes a new income tax law, vehicle registration tax law and amendments to the VAT Law, and Decree No. 4-2012 (*Disposiciones para el Fortalecimiento del Sistema Tributario y Combate a la Defraudación y al Contrabando*, or “2012 Anti-Tax Evasion Law”), which includes provisions intended to strengthen the tax collection system, and to reduce smuggling and tax avoidance generally. In addition, in 2013, Decree No. 19-2013 was implemented, which includes other changes aimed at correcting problems in the collection of income tax on capital and construction activities, as well as certain other changes to the tax code, tax stamps and stamped paper.

Despite the aforementioned tax reforms, the tax burden remained at essentially the same level. In 2014, tax collection decreased by 1.3% compared to 2013, primarily as a result of external factors such as the decline in international oil prices which resulted in a substantial decrease in taxable imports. The impact of the decline in international oil prices was one of the principal factors that caused a 5.8% reduction in direct tax collection for 2015.

The principal effect of the reforms is reflected in increased contribution of direct taxes, the solidarity tax and the income tax, which collectively increased from 3.4% of GDP in 2012 to 3.8% of GDP in 2013. Similarly, an increase in the share of these taxes relative to total revenues was reflected in the increase from 31.4% of total revenues in 2012 to 34.6% of total revenues in 2013. In 2014, direct taxes were 3.6% of GDP, slightly lower than in 2013, as a result of the gradual decrease in the income tax rate for profit activities from 31% in 2013 to 28% in 2014. In 2015, these taxes decreased by 1.2% as compared to 2014. This decrease reflects the gradual reduction in the income tax rate approved in the 2012 tax reform.

On January 26, 2012, through the 2012 Anti-Tax Evasion Law, Congress approved several amendments to the regulations relating to income tax, VAT, the vehicle circulation tax, the tobacco tax, and the tax code and the criminal code. This reform was complemented by amendments to the 2012 Tax Update Law, which includes a new income tax that went into effect in January 2013, additional reforms to customs regulations and a new vehicle registration tax.

The simplified income tax aims to reduce the complexity and ambiguity of the previous income tax law, to facilitate tax compliance, and to reduce tax avoidance and evasion. The 2012 Anti-Tax Evasion Law provided for the improvement and strengthening of the ability of the SAT to combat tax noncompliance. For that purpose, the 2012 Anti-Tax Evasion Law provided new tools and included changes aimed to reduce tax evasion and to increase the tax basis.

Although the Constitutional Court struck down certain provisions of these tax reforms, such as tax simulation, positive developments were achieved as a result of the tax reforms, including the disclosure of information and the ability to install control devices to observe economic and industrial activities (in industries such as telecommunications, manufacturing, transportation service, among others). Furthermore, the reforms made it possible to amend previously existing sanctions on crimes.

Pursuant to the reforms to the tax code, the SAT can reduce fines and other interest up to 85% of the original amount if during an audit proceeding the taxpayer accepts its obligations in the early phases of the proceeding. The same provisions have also been applied in the case of a threat of initiating a criminal investigation by the SAT.

The SAT has enacted complementary measures to increase tax compliance and tax revenue, such as the improvement of controls on exempt entities and withholding agents; tax credit claims refunds; updating registers of active vehicles; the improvement of the effectiveness of the judicial system with respect to tax issues; the support of partial tax amnesties offered by the Government; more general control of VAT; a new condensed process of auditing by which the fiscal presence by commercial activity is improved; the use of risk analysis techniques; increased numbers of employees in customs and highways with on-line support to customs declarations; the improvement of

control of goods entered on electronic cargo records; and the implementation of new control mechanisms of companies operating under Decree No. 29-89.

During 2017, a tax amnesty was approved pursuant to Governmental Agreement 82-2017 “Exemption of fines, arrears, interest or surcharges,” which was later extended by an additional month with Governmental Agreement number 182-2017. This amnesty resulted in the collection of a total of Q1,211.0 million (approximately US\$164.8 million), of which 51.7% corresponded to income tax and 31.2% corresponded to VAT, with the remaining 17.1% corresponding to other taxes.

In addition to the recent tax reforms, the SAT, with support of the Government, is continuing to combat tax evasion through the evaluation of tax service employees, improving reporting of banking and financial information, increasing the use of electronic invoicing technology, and improving inter-institutional coordination among governmental entities, which includes the Ministry of Governance, the Public Prosecutor’s Office and the Guatemalan Army, to reduce smuggling and to improve tax compliance.

In December 2014, Decree No. 22-2014, which contained the General Budget of Revenues and Expenditures for Fiscal year 2015 (Book I) and Fiscal Adjustment Law (Book II) was adopted. The Fiscal Adjustment Law contained adjustments to the tax rate per sack of cement and to the royalty rate on the exploitation of minerals and construction materials. In addition, as part of this law, a new tax on fixed or mobile lines was created. These changes were expected to result in collections of 0.42% of GDP. In the case of the cement sack tax rate, the change was from Q1.50 to Q5.00 per sack, and the expected impact was 0.4% of GDP. The royalty rate was adjusted from 1% to 10% for the exploitation of minerals and construction materials. The expected impact of this change is 0.10% of GDP. Lastly, the creation of the new tax on fixed or mobile lines was expected to result in collections of 0.28% of GDP.

The Fiscal Adjustment Law was subject to strong criticism and was challenged before the Constitutional Court. The Constitutional Court held against the Government, preventing the new tax on fixed or mobile phone lines from becoming effective. In September 17, 2015, the Constitutional Court upheld the change in the cement sack tax rate and, in the case of the change in the royalties’ rate, the Court restored the rate to the previous rate of 1%.

There was a negative impact on collections due to delays in the decisions of the Constitutional Court regarding mining activity, including in cases such as the San Rafael Mine, which was affected by a temporary suspension of the “El Escobal” mine from July 2017 to September 2018. These delays lead to a reduction in the export of metallic minerals such as silver, lead and zinc, which are the main products of the San Rafael Mine. In addition, another important mining company, Montana Exploradora, owned by Marlin Mine, ceased operations in 2017. See “Transparency and Corruption—Other Proceedings—San Rafael Mine.”

In August 2016, Congress passed Decree No. 37-2016 which amended the Organic Law of the Tax Administration Superintendency (*Ley Orgánica de la Superintendencia de Administración Tributaria*) and reorganized the SAT into the following offices: (i) the Board of the SAT, (ii) the Superintendent, (iii) the Tax and Customs Administrative Court (“TRIBUTA”) and (iv) the tax managers. With these amendments, the Board of the SAT is currently responsible for determining tax and customs policy and the newly-created administrative court TRIBUTA is responsible of resolving administrative proceedings in tax matters, which prior to these amendments, was also a function of the Board of the SAT. These amendments also regulate banking secrecy, allowing the SAT to obtain information on bank accounts only by the order of a judge and secures that taxpayers must be informed when they are being investigated.

In addition, amendments under Decree No. 37-2016 strengthened the rules protecting taxpayers’ rights with respect to their personal information obtained by the SAT and created special units overseeing internal affairs and the safeguarding of sensitive tax information. Finally, these amendments also provide transparency with respect to public contracting with the government of Guatemala and also require officers of the SAT to file a sworn statement of assets before taking office and yearly, no later than December 31.

During fiscal year 2018, the SAT focused on efforts to create tools meant to increase taxpayers’ perception of risk, through strategic actions and objectives that would increase tax compliance and increase control in the country’s customs. The new Online Electronic Invoice Regime (known as the ELF) allows the SAT to access online invoicing information, including through a system of advanced queries to obtain information, in order to reinforce taxpayers’ perception of risk.

In April 2019, Congress approved Decree No. 4-2019, the “Law for the Economic Reactivation of the Guatemalan Coffee Sector.” This decree was intended to contribute to the reactivation of the coffee sector in two ways: actions with respect to a trust for the financial support of coffee producers in Guatemala; and tax measures aimed to speed up the reimbursement of VAT to exporters. This decree is intended to accelerate the right to obtain reimbursement of VAT credits for exporters pursuant to the VAT Law, not only of the coffee sector but all sectors that include exports. Chapter II of this decree updated the VAT Law, including the formation of a new method of refunding the VAT credits to exporters, called the “special electronic scheme.” This decree unified rates upon the issuance of special invoices (*facturas especiales*) at 5%, eliminated the marginal rate of 7%, defined the requirements to participate in the regime and modified the exporters’ supplier registry. Finally, this decree included the possibility that exporters can commence the process of obtaining a refund of a VAT credit prior to the issuance of the related approval by the SAT, in order to reduce the large number of refunds of VAT credits generated in the general tax regime, under the condition that the current procedure is terminated and that the requirements of the special electronic scheme are complied with. However, the creation of this regime is subject to the SAT being able to implement the necessary tools for its operation within a period of six months. If such implementation is not completed within the six-month period for an external cause, the SAT shall request an extension from Congress, which can be approved by a simple majority vote.

Additionally, Decree No. 07-2019 Tax Simplification, Update and Incorporation Law, was established in 2019 with the goal of incorporating to the tax system all people who are required to be registered before the tax authority due to the nature of their activities. This decree adds (i) the Special Regime for Agricultural Taxpayers and (ii) the Electronic Small Taxpayer Regime and the Special Electronic Taxpayer Agricultural Regime to the VAT. The Special Regime for Agricultural Taxpayers applies to producers and marketers with activities in the agricultural sector, and whose annual sales do not exceed Q3,000,000. These taxpayers are subject to a tax rate of five percent (5%) on gross sales. The buyers, sellers and feeders of cattle, horses and swine, among others, are subject to a tax rate of five percent (5%) on profits. Taxpayers may register under the Electronic Small Taxpayer Regime for a reduction in the applicable tax rate to 4%. With this law, the tax administration promotes banking services as a condition to stay in the above regimes.

Expectations for net tax revenue growth for fiscal year 2020 aimed to at least reach the current budget target, which amounted to Q64,027.7 million. In the months of January and February 2020 there was positive performance in tax collection, as a positive gap of Q539.7 million was generated compared to what was scheduled in the budget. The positive gap was principally the result of greater collection of income tax and value added tax associated with domestic consumption.

In March 2020, after government authorities declared a “State of Public Emergency” due to the COVID-19 pandemic, mobility restrictions were imposed to control the spread of the virus, which had a direct impact on the national economic and foreign trade slowdown and caused a negative gap in cumulative tax collection, as of March 2020, by Q 1,158.7 million. This gap was partly caused by measures taken to curb COVID-19 contagions. The SAT issued SAT Resolution 280-2020, which declared non-working days from March 24 to April 14, 2020 and set on April 15, 2020 to carry out the annual settlement of income tax and the monthly maturity of VAT associated with domestic consumption, all in order to temporarily relieve taxpayers’ payment in the face of low economic activity resulting from the confinement.

The rapid spread of the virus, as well as the insufficient resources to respond to the pandemic, forced the Executive Branch to make efforts to counteract the negative effects on the national economy, and actions were taken to ensure that the State was funded and that the productive sector was not affected. As a result, Decree No. 12-2020 Emergency Law to Protect Guatemalans from the Effects of the COVID-19 Pandemic, became effective. The decree expanded the General Budget of Income and Expenses of the State and promoted two tax measures, the first being that all donations to the National Disaster Reduction Coordinator (CONRED), churches, non-profit organizations and charitable associates, were exempt from all import taxes as long as the State of Public Emergency was in place, and the second being that taxpayers affected by Decree No. 73-2008 were exempt from all import taxes (import VAT and tariff duties), and were empowered to defer payment for the second quarter of fiscal year 2020 until September 30, 2020. Businesses that applied this exemption were not allowed to dismiss any of their employees.

The customs tax collection that contributes the most to the collection associated with foreign trade saw negative results from March 2020. As of June 2020, the Quetzal Port (*Puerto Quetzal*) (contributes 38.4%) decreased by 13.5%, Express Air (contributes 13.7%) decreased by 15.3 %, and Santo Tomás (contributes 13.5%) decreased by 14.9%, all as compared to 2019.

In the following months additional government pandemic measures affected tax collection. Another action that was established and took effect on July 7, 2020 was Decree No. 24-2020, which allowed the settlement of the vehicle circulation tax to be deferred until October 2020.

In the last three months of fiscal year 2020, mobility gradually began to recover, and the release of stay at home orders, the relaxation of restrictions, and measures for the gradual reopening of public transportation, shopping malls, labor activities and other sectors, marked the recovery of tax collection, even though mobility was not equal to pre-COVID-19 levels.

The fiscal deficit at the end of December 2020 was smaller than originally anticipated at the beginning of the pandemic. According to preliminary data for the closure of tax collection, tax revenue was Q60,279.4 million, generating a fiscal deficit of Q3,748.3 million from the budget. Taxes that showed recovery in the last quarter were domestic VAT and VAT associated with foreign trade. This preliminary closure represents a degree of implementation over the budget target of 94.1% and represents 10.1% of GDP.

The outcome of fiscal year 2020, as discussed above, was affected by the pandemic from March to September. Following the gradual reopening of the economy and the efforts made by the SAT through its Institutional Crisis Management Committee, measures were put in place to stop the drop in tax collection and promote the health of employees. The main measures taken were: facilitation and control of the digital proof of registration to the digital unified tax registry, monitoring of tax compliance, modification of operational functions to grant hearings for omissions or sanctions, encouragement of the payment of tax obligations, formation of technical tables for hearing evaluations and judicial procurements, and strengthening of customs controls through the implementation of guarantees. These actions allowed the scheduled tax collection path to be recovered in the last quarter.

Fiscal Policy

Public sector debt as a percentage of GDP was 26.6% in 2019 and 31.6% in 2020. In addition, the Government considers that these indicators are consistent with the medium and long-term fiscal stability.

Guatemala is a country characterized by prudent management of its fiscal policy over the past 25 years, which has greatly contributed to the country's macroeconomic stability. This is reflected in the fiscal performance achieved by the Government, with moderate deficits, although Guatemala may experience high deficits for brief periods in times of crisis because the spending that creates the fiscal momentum is not permanent but rather transitory, as it is the recent case of fiscal year 2020. This has led to the country's public debt being low, stable and sustainable.

According to public debt solvency indicators, which are also known as sustainability indicators, they focus on showing a country's debt repayment capacity considering national production measured through GDP. The main indicator is the debt-to-GDP ratio, which shows the country's potential capacity to meet its obligations. In 2020 this indicator grew significantly as a result of the significant increase in the fiscal deficit in the last year, but which is still below the benchmark used by Guatemala (50% of GDP).

Since 2001, Guatemala has had a track record of low deficits with an average deficit of 1.9% between 2001 and 2019, in only two out of 18 years, has the annual deficit been higher than 3% (3.1% in 2009 and 3.3% in 2010) due to the reduction on imports and remittances that affected tax revenues and counter-cyclical social expenditures, both due to the 2008 global financial crisis.

However, this trajectory with respect to the fiscal deficit was affected in 2020, when it stood at 4.9% of GDP, which was the largest fiscal deficit between 2001 and 2020, although this increase is expected to be temporary as a result of the COVID-19 pandemic, with the fiscal deficit projected to return gradually to pre-crisis levels in the medium term. Despite this increase, the level of fiscal deficit in 2020 was below the estimate of 5.9% of GDP for 2020.

After 2007, other factors had adverse effects on public finances: the lack of political consensus for fully implementing the most recent tax reform, as well as unexpected rebuilding expenses as response to natural disasters (including tropical storm Agatha and the eruption of the Pacaya Volcano in 2010, the tropical depression in 2011, the November 2012 and July 2014 earthquakes and the extensive heat wave and partial drought in 2014). Nevertheless, after 2010, there has been a continuous reduction in the deficit which closed 2018 at 1.9% of GDP.

On June 3, 2018, the Fuego volcano, located in south-central Guatemala 40 kilometers southwest of Guatemala City, erupted with heavy explosions that produced dense ash columns that rose to 10 kilometers into the atmosphere and were carried by the wind for tens of kilometers, causing the temporary closure of the Aurora Airport, the main international airport. Many people lost their lives and the victims who survived were affected by the loss of housing and basic services. In addition, road infrastructure and public services were damaged, leading the Government to incur additional expenditures for emergency responses, in particular during the days immediately after the eruption, and generally to help those who were affected. As a result, there was an increase in expenditures for goods and services. A damage and loss assessment relating to the Fuego volcano eruption was prepared with the support of international organizations. Preliminary reports indicate that the total damage caused by the eruption amounted to Q1,642 million (approximately US\$212.2 million), of which Q201 million corresponded to impact on the public sector for the damages, losses and additional costs incurred as a result of the catastrophe.

At the end of 2020, the country was hit by another natural disaster, the tropical storms Eta and Iota, which caused significant damage and losses in the national territory. As a result, the Government reacted by creating the subprogram 11 “State of Public Emergency for Tropical Depression Eta,” which keeps track of interventions made to repair the damage caused by tropical depressions. Execution in 2020 was Q86.7 million. Other interventions to address these events, mainly in reconstruction and repair of damage and loss, are expected to be reported during 2021.

The following table sets forth the deficits between 2016 and 2020.

Fiscal Deficit				
(as a % of GDP)				
For the year ended December 31,				
2016	2017	2018	2019	2020⁽¹⁾
(1.1)	(1.4)	(1.9)	(2.2)	(4.9)

(1) Preliminary data.

Source: Ministry of Public Finance.

The growth of tax revenues was higher than economic growth, the tax burden remained at the same level of 2018, while public spending in terms of GDP increased due to higher investment spending, investment contributions and school feeding than collectively put upward pressure on the fiscal deficit, which stood at 2.2% of GDP as of December 31, 2019. As of December 31, 2020, the fiscal deficit was 4.9% due to higher investment spending as a result of the COVID-19 pandemic.

The Government’s fiscal policy in recent years has focused on trying to meet the basic social needs of the population, despite the reduction in tax revenue, which has led to fiscal consolidation begun in 2011, as a way to preserve macroeconomic stability and fiscal sustainability over the medium term. This has allowed the Government to achieve two of its medium-term objectives of reducing the fiscal deficit from 3.3% in 2010 to 2.2% in 2019 and keeping public debt below 30% of GDP (26.5% of GDP in 2019). As of December 31, 2020, public debt represented 31.6% of GDP, which is the lowest among the countries in Central America and represents an increase of 5.1% compared to 2019, mainly as a result of the measures implemented by the Government to respond to the COVID-19 pandemic.

The Government’s remaining challenges include increasing tax revenues to match the growing needs of Guatemalans for social concerns (education, health and housing, internal security, justice and infrastructure) and maintaining the flexibility of the budget to address problems associated with internal and external economic shocks, such as international crises or natural disasters. Nevertheless, the new administration will continue to focus on the protection of social expenditure, increasing the quality of government intervention and improving the targeting of the resources to protect the most vulnerable segments of the population.

Deficit Management

The Government finances its deficit mainly using domestic and foreign financing. The former includes the issuance of securities (mainly treasury bonds of the Republic), which must be approved by Congress. The latter consists of external loans from international institutions and placement of government securities abroad in foreign currency.

The financing of the fiscal deficit in 2020 was mainly covered by debt issuances. As such, 73.8% of the deficit was covered by the issuance and placement of treasury bonds in the domestic market and the remaining 26.2% was covered through the issuance and allocation of Eurobonds, in an aggregate principal amount of U.S.\$1,200 million in the international capital markets.

With regard to internal placements, the amount demanded by investors far exceeded the placements, which ultimately totaled Q26,045.0 million.

The placement of treasury bonds in national currency was in an aggregate principal amount of Q24,504.3 million. The preference of investors and the Government was placements with longer terms (15 and 20 years). From the amount allocated in treasury bonds, Q10,645.0 million that were placed derive from the Q11,000.0 million authorized by Decree No. 13-2020 for the issuance, negotiation and placement of treasury bonds, these were intended in full to respond to the COVID-19 pandemic. This type of financing is of an extraordinary nature, since it was acquired by the Bank of Guatemala in accordance with the provisions of Article 133 of the Political Constitution of the Republic of Guatemala. This article considers the financing through the Central Bank in the event of a catastrophe or public disaster, although it is not superfluous to indicate that this financing mechanism should be temporary, otherwise the country's monetary, exchange rate and credit stability could be jeopardized.

In addition, US\$1,200 million were placed in the international capital markets in two tranches: in the first tranche US\$500 million for a 12 year term and in the second tranche US\$700 million for a 30-year term.

In 2020, the country opted for various sources of public spending financing, through local market funds, multilateral banking and global markets. The favorable conditions obtained in the different external and domestic placements, as well as in the negotiated loans, reflects the high credibility that Guatemala enjoys as a country that honors its commitments to debt holders and where despite the national and global economic slowdown related to the COVID-19 pandemic and uncertain recovery, confidence in national bonds is maintained. In addition, there were significant external loan disbursements at the end of 2020.

Autonomous and decentralized institutions, as well as non-financial public entities and local governments are not legally allowed to issue securities.

In order to maintain an open access to the internal and external financial markets, as well as to finance its deficit, the Government is committed to preserve its fiscal discipline, debt sustainability and a stable macroeconomic environment.

Public Expenditure

The Government has historically maintained a stable level of expenditure as a share of GDP. Between 2016 and 2019, average budgeted expenditures as a percentage of GDP were approximately 13.0%. However, in 2020, it increased by 2.1% of GDP to 15.6% (excluding public debt repayments) derived from fiscal momentum, mainly related to expenditures incurred in connection with the COVID-19 response.

The allocation for social expenditures (excluding expenses related to the Peace Agreements), increased from 39.1% of the total government expenditure in 2016 to 40.6% in 2019. In 2020 it fell to 34.6%, primarily due to the fact that the expenses associated with COVID-19 were not considered as part of social spending.

For 2020, due to expenditure commitments, tax provisions and other laws, from each Q1.00 collected by the Government, approximately Q0.91 specifically earmarked for, or intended to finance, a spending obligation, such as meeting debt service payments, which reduces budget flexibility. The specific uses defined by constitutional law include, among others, the contributions of 10% of total ordinary revenues of the budget to municipalities, 5% to the *Universidad de San Carlos*, 1% to eradicate illiteracy, 2% to the Judicial system and no less than 5% of that 2% allocation of the Judicial System, to be diverted to the Constitutional Court.

Additionally, since the signing of Peace Agreements in 1996, a commitment to social spending to comply with the requirements of the accords has been a priority for the Government. However, social spending has decreased from 49.4% in 2016 to 43.5% in 2020. The need to protect social services, despite the decrease in tax revenues, has caused the observed fluctuations in social spending: in some years there has been an increase but in others a decrease.

Social Expenditure as % of Total Government Expenditure

For the year ended December 31,

2016	2017	2018	2019	2020
49.4	48.6	50.3	49.8	43.5

Source: Ministry of Public Finance.

Public Investment

From 2012 to 2015, investment spending appeared to decrease due to the changes in the classification of public expenditure since, from 2012, maintenance of infrastructure spending is recorded in the goods and services category (prior to 2012, such spending was considered to be a direct investment). In addition, fiscal policy consolidation efforts through the gradual reduction of the deficit over this period reduced the availability of public investment funds, thereby reducing this type of investment.

In 2016, in addition to the scarcity of funds, investment was affected by other factors, including the validity of a new law for purchases and contracts by the Government. This law introduced new provisions that affect the way public bidding is conducted, which delayed the awarding of public contracts for that year, and created uncertainty for the suppliers of goods and services as well as in Government entities, which mainly affected projects that were financed with external loans.

By 2017, public investment began to recover gradually, increasing by 10.2% compared to 2016 and by 18.3% in 2018 compared to 2017. This increase was mainly due to the effects of policies implemented by the past administration intended to promote economic recovery by increasing public investment in strategic sectors.

In 2018, approximately 82% of the Government's spending on public investment was concentrated on works and projects executed by the Ministry of Communications, Infrastructure and Housing, committed to the recovery of the country's road network, as well as in transfers made by the Government to municipalities and development councils, with the purpose of promoting community development and at the same time comply with constitutional mandates and ordinary laws.

The main adjustment in spending in 2020 was reflected in direct investment which contracted by 41.4%, equivalent to a Q2,039.8 million decrease from 2019, in line with the low level of implementation by the Ministry of Communications, Infrastructure and Housing. This decrease was partly due to the stay at home orders and social distancing measures that were established during several months of the year in response to the COVID-19 pandemic and the low level of tax collection that affected several areas of expenditure, especially investment. For fiscal year 2021, the focus of public spending will be on economic revival and efforts will focus on road infrastructure projects because of their ability to generate jobs and increase income. In addition, reconstruction work resulting from disasters caused by the tropical storms Eta and Iota will continue in 2020.

Improvements in Transparency and Efficiency of Public Expenditure

In 2009, the Government implemented measures to maintain a proper recording and control of infrastructure contracts, and to supervise works in process, providing physical and financial verification tied with the adequate budget allocation. In 2010, an interconnection was implemented among the National Public Investment System (*Sistema Nacional de Inversión Pública*, or "SNIP"), the Management Information System and the Integrated Accounting System (*Sistema de Contabilidad Integrada*, or "SICOIN"), to allow the selection and evaluation of projects contained in the Geographic List of Infrastructure Projects. In 2011, a Budget Availability Certificate was implemented to avoid finance contracts exceeding the budget ceiling of the relevant institution. This Certificate is provided to suppliers and contractors, guaranteeing that each institution has enough budget resources to meet its contracts needs for each year.

In March 2012, an inter-institutional agreement of coordination was signed among the Comptroller General of Accounts, the Public Prosecutor's Office and the Ministry of Public Finance to improve the control of the use of public funds and compliance with the law relating thereto. Since 2012, the Government has been working in implementing a methodology for Management for Results (*Gestión por Resultados*), with the goals of identifying, measuring and monitoring performance indicators of different levels of public actions aiming to improve the living conditions of Guatemalan citizens. The methodology establishes that public expenses are formulated, executed, monitored and evaluated on the basis of what the population needs and what provides the most value for their

development. For its implementation, studies are being conducted that identify the best actions to improve the impact of the Government in this regard.

Congress approved, by Decree No. 13-2013, certain amendments to the Budget Code. Among the most important amendments, the following were included: extending the scope of the law to trusts of international organizations and associations that manage or administer public resources; reporting of physical and financial management focused on results; formulation of multi-year budgets; prohibiting the signing of agreements with international organizations; and the Certificate of Budget Availability (*Constancia de Disponibilidad Presupuestaria*) and Certificate of Financial Availability (*Constancia de Disponibilidad Financiera*) prior to underwrite contracts or agreements to ensure the existence of financial resources to cover the amount of the contract to be executed in the year. In addition, amendments to the Organic Law of the Comptroller General's Office and the SAT were approved.

In 2014 and 2015, the Government followed up on the outcomes and recommendations from several sources in relation to the issues of transparency, fighting corruption and promoting citizen participation in the processes of governance (PEFA Report; National Action Plan 2014-2016 Open Government, Open Budget Index, CUNCC; CICC EITI initiatives, COST and STAR, and others).

In 2016, under the open government initiative, the Ministry of Public Finance made each stage of budget formulation more open towards the participation of civil society. This process included generating spaces for discussion and analyzing different scenarios, projections and macroeconomic assumptions for consideration in the process of formulating the 2017 and 2018 budget that would serve as a basis for the estimation of tax revenues.

In 2018, for the third consecutive year the open budget exercise was carried out. In June 2018, the Open Country Route 2019-2023 Budget workshops concluded based on the following priorities: Economy and Prosperity, Human Development, and Security and Justice. Each of the 13 Ministries, the Public Ministry and the judicial system presented their budgetary allocation needs. These forums established national priorities, pursuant to which institutional indicative ceilings were defined for the formulation of the budget.

Further in the area of transparency, in September 2016 the government carried out the first electronic reverse auction event through Guatecompras. The main objective was to optimize the supply and demand of public purchases, allowing for the real-time visualization of the auction process in electronic form as it automatically determines which bidder has proposed the most suitable bid based on the lowest price and best quality.

Additionally, since November 15, 2018, the General Acquisitions Registry of the State (*Registro General de Adquisiciones del Estado-RGAE*) has been operating. Its purpose is to register individual and legal persons, national or foreign, in order to be qualified as contractors or suppliers for the Government. This registry is maintained by the newly-created Vice Ministry of Fiscal Transparency and Acquisitions of the State, which was approved pursuant to Governmental Agreement 25-2018. This Vice Ministry's purpose is to strengthen institutions and institutional transparency in the management of public resources.

The following table sets forth information regarding consolidated public sector accounts for the years indicated.

Consolidated Public Sector Accounts⁽¹⁾
(as a % of GDP)

	For the year ended December 31,				
	2015	2016	2017	2018	2019 ⁽²⁾
Balance:					
Total non-financial public sector	(1.3)	(0.9)	(1.4)	(1.7)	(2.1)
Bank of Guatemala losses.....	(0.2)	—	—	—	—
Consolidated public sector deficit	(1.5)	(0.9)	(1.4)	(1.7)	(2.1)
Financing:					
Government					
<i>External:</i>					
Foreign loans (net).....	0.8	(0.3)	(0.5)	0.1	(0.4)
Bonds.....	—	1.1	0.7	—	1.6
Total external.....	0.8	0.8	0.2	0.1	1.2
<i>Internal:</i>					
Bonds.....	0.8	0.8	1.3	1.8	0.8
Other ⁽³⁾	—	—	0.1	0.1	0.1
Use of government deposits.....	(0.1)	(0.5)	(0.1)	(0.1)	0.2
Total internal.....	0.7	0.3	1.4	1.8	1.1
Overall balance Government	1.5	1.1	1.6	1.9	2.3
Rest of nonfinancial public sector balance	0.2	0.2	0.2	0.2	0.2
Bank of Guatemala losses.....	0.2	—	—	—	—
Combined public sector financing	1.5	0.9	1.4	1.7	2.1

(1) Data provided by the Ministry of Public Finance and Bank of Guatemala.

(2) Estimated by the Ministry of Public Finance.

(3) In 2017, refers to the amortization of the cost of monetary policy. In 2018 and 2019, refers to the negotiation of the debt premium.

Source: IMF estimates prepared on the basis of information provided by the Ministry of Public Finance and Bank of Guatemala.

In 1998, the Financial Administration Integrated System (*Sistema Integrado de Administración Financiera*, or “SIAF”) was created to develop an on-line system which allows public access to financial information, with the goal of improving public expenditure transparency. The SIAF system gathers data related to Government’s transactions, facilitating access to governmental information, such as execution of budgets, accounting statements and economic transactions. This project was supported and funded by the World Bank and divided into several stages, with the ultimate goal of including consolidated public sector information, specifically local government information.

In 2000, the Government began to gradually integrate decentralized and autonomous entities to the SICOIN. By the end of 2018, all 340 municipalities had been incorporated into the SICOIN, and only one autonomous institution (the *Universidad de San Carlos*) remained which did not use SICOIN as its official financial management system. However, beginning in 2019, with the support of the Ministry of Finance, the *Universidad de San Carlos* adopted the SICOIN system with respect to its budget and spending, including its payrolls. However, the *Universidad de San Carlos* has yet to implement the SIGES management system. The Ministry of Finance and the *Universidad de San Carlos* signed an agreement to strengthen institutional transparency policy and support in the implementation of mechanisms to promote transparency and accountability.

Nevertheless, there are still different electronic platforms in use by each government sector, which still makes it difficult to obtain consolidated data from the non-financial public sector. However, by 2019, efforts have been made to find the appropriate mechanisms with the purpose of initiating actions aimed at consolidating the information of non-financial public sector within the framework of the international standards of the Manual of Public Finance Statistics of the IMF (2014 edition).

PUBLIC SECTOR DEBT

All amounts in this section are for public sector debt of the Government and the debt that has been guaranteed by the Government. The Bank of Guatemala manages its debt separately and independently from the Government and follows different policies.

The Government has procedures to manage public sector debt. Any new debt issuance requires favorable opinions of the Monetary Board, the Secretary of Planning and Programming and the Ministry of Public Finance, as well as the consent of Congress. According to applicable law, the Government is not liable for the debts of autonomous public sector entities, including the Bank of Guatemala, unless an express guarantee is issued by the Government and authorized by Congress. The constitutive laws of certain public sector entities, including the National Mortgage Bank, expressly provide that their liabilities are guaranteed by the Government.

The Government has followed a fiscal policy resulting in an average deficit of 1.7% of GDP between 2016 and 2019 that has contributed to maintenance of a modest level of debt. However, in 2020 there was a significant increase in the fiscal deficit due to the expansive fiscal policy that generated a significant increase in public spending. This increase is expected to be temporary as a result of the COVID-19 pandemic, with the fiscal deficit projected to increase to 2.3% of GDP in 2021. As a result, as of December 31, 2020, public sector debt was 31.6% of GDP compared to 26.6% in 2019, this is the largest increase in the observed period.

The following table sets forth public sector debt as percentage of GDP for the years indicated.

Public Sector Debt as % of GDP

For the year ended December 31,

2016	2017 ⁽¹⁾	2018 ⁽¹⁾	2019 ⁽¹⁾	2020 ⁽²⁾
25.0	25.2	26.6	26.6	31.6

(1) Preliminary data as of December 31.

(2) Estimated data as of December 31.

Source: Ministry of Public Finance.

As of December 31, 2020, public sector external debt was US\$10,449.8 million, which represented approximately 43.0 % of total public sector debt. The following table sets forth the composition of public sector debt between internal and external debt.

Total Public Sector Debt (in millions of US\$⁽¹⁾ and as of % of total)

As of December 31,

	2016		2017		2018		2019		2020	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
External Public Debt	8,015.5	48.0	8,183.2	45.4	8,224.6	43.6	9,105.8	44.6	10,449.8	43.0
Internal Public Debt.....	8,692.0	52.0	9,849.9	54.6	10,648.5	56.4	11,329.2	55.4	13,824.3	57.0
Total	16,707.5	100.0	18,033.2	100.0	18,873.1	100.0	20,435.0	100.0	24,274.0	100.0

(1) Non-U.S. dollar amounts are translated to U.S. dollars at the official exchange rate for each year-end date.

Source: Ministry of Public Finance.

Compared to countries in the region, Guatemala has the lowest ratio debt to GDP. The following table sets forth the credit ratings and debt to GDP ratios of the countries in the region as of December 31, 2020.

Public Sector Debt as Percentage of GDP and Debt to GDP Ratios

Country	Long Term Credit Ratings			2020 ⁽¹⁾
	Moody's	S&P	Fitch	
Guatemala	Ba1	BB-	BB-	31.6
Mexico	Baa1	BBB	BBB-	60.6
Nicaragua	B3	B-	B-	48.1
El Salvador.....	Caa1	B-	B-	60.3
Honduras	B1	BB-	—	58.9
Costa Rica	B2	B	B	67.5
Belize	Caa3	SD	—	127.4
Panama	Baa2	BBB	BBB-	69.8

(1) Preliminary data.

Sources: Guatemala: *Ministerio de Finanzas Públicas*, El Salvador, Honduras, Nicaragua, Costa Rica and Panamá: *Instituto Centroamericano de Estudios Fiscales*; México, Belize: World Economic Outlook Database, April 2020.

Debt Record

The Republic has from time to time restructured and rescheduled certain bilateral and multilateral loans, some of which were in arrears. The Republic is not currently in arrears on any of its indebtedness. The Government incurred limited amounts of commercial bank debt and bonds in the 1980s and 1990s, and had no need to restructure any such debt.

Short-term foreign currency requirements were managed through the issuance of Bank of Guatemala Stabilization Bonds.

In the early 1990s, the Government fell into arrears on certain loans from bilateral lenders. On March 25, 1993, the Government reached an agreement through the Paris Club to consolidate and reschedule or refinance its public sector external debt with each bilateral and multilateral agency with which the Republic was in arrears. The Republic began repaying debt under the terms of the Paris Club agreement in 2001 and completed repayment in 2006. Guatemala has met its debt service obligations in the past and the last time the Government faced difficulties paying the debt service was more than 20 years ago. Additionally, as of the date of this offering memorandum, Guatemala has been able to obtain financing on satisfactory terms.

The Organic Budget Law (*Ley Orgánica del Presupuesto*), pursuant to Decree No. 101-97 of Congress, mandates that the Republic must establish an account with the Bank of Guatemala to guarantee debt service. In addition, pursuant to Decree No. 25-2018, which authorizes the issuance of the Notes offered hereby, the Republic is required to maintain an account with the Bank of Guatemala known as the Amortization Fund (*Fondo de Amortización*). Decree No. 25-2018 permits the Bank of Guatemala to transfer funds from the Republic's Common Fund (*Fondo Común*) to the Amortization Fund in amounts necessary to make payments of interest, principal and commissions and other expenses related to debt service on Notes. Similar laws provide for such payments to be made into the Amortization Fund for payments due on other debt issuances. However, Decree Nos. 101-97 and 25-2018 and any similar laws may be altered by an act of Congress.

Guatemala has a solid record of debt service, including with respect to the debt securities it has issued since 1997 (the first issuance), which include:

- in August 1997, US\$150 million of 8.5% Notes due 2007 (which have been repaid in full);
- in November 2001, US\$325 million of 10.25% Notes due 2011 (which have been repaid in full);
- in August 2003, US\$300 million of 9.25% Notes due 2013 (which have been repaid in full);
- in October 2004, US\$330 million of 8.125% Notes due 2034;
- in June 2012, US\$700 million of 5.75% Notes due 2022;
- in February 2013, US\$700 million of 4.875% Notes due 2028;
- in May 2016, US\$700 million of 4.500% Notes due 2026;
- in June 2017, US\$500 million of 4.375% Notes due 2027;

- in May 2019, an aggregate US\$500 million of 4.900% Notes due 2030, and an aggregate US\$700 million of 6.125% Notes due 2050; and
- in April 2020, US\$700 million of 6.125% Notes due 2050 (reopening), and US\$500.0 million of 5.375% Notes due 2032.

Management of the Public Debt

The Ministry of Public Finance, through the Public Credit Office, is the governing entity of the Public Credit System (Article 73, Governmental Agreement 540-2013). In 2014, under the Ministerial Agreements 456-2011 and 26-2014, this office was restructured conforming three deputy offices: *Subdirección de Negociación de Operaciones* (Front Office); *Subdirección de Gestión de Política de Crédito Público* (Middle Office); and *Subdirección de Operaciones* (Back Office). The Front Office is responsible of negotiating new debt; the Middle Office is in charge of public debt analysis and management of risks; and the Back Office is in charge of the timely and adequately debt service.

The Organic Budget Law, established in its Article 66 that the Ministry of Public Finance must, in each year's budget, set aside funds in the Amortization Fund (*Fondo de Amortización*) at Bank of Guatemala to guarantee the timely and adequately public debt service, which includes amortization, interest, commissions and related credit operation costs. The Bank of Guatemala sets aside the resources necessary to pay principal, interest, commissions and other amounts necessary to service internal debt from for the government's securities in the Common Fund National Single Account (*Fondo Común – Cuenta Única Nacional*).

Public Sector Indicators

As of December 31, 2020, total public sector debt totaled US\$24,274.0 million. Internal debt increased from 52.0% of total public sector debt in 2016 to 57.0% in 2020. During the same period, local currency-denominated debt increased from 46.8% of total public sector debt in 2016 to 53.4% in 2020, an increase of 6.6%. These changes in the debt structure accompanied have contributed to reducing exchange rate risk of the public sector debt portfolio.

Most of the public sector debt has been issued with fixed interest rates. Between 2016 and 2020, the average percentage of fixed interest rate debt was approximately 76.4% of total public sector debt. As of December 31, 2020, 81.3% of public sector debt bears interest at fixed rates and the remainder, 18.7%, bears interest at variable interest rates. Accordingly, the interest risk of the public sector debt portfolio is low.

Most of the debt bearing interest at variable rates was issued to multilateral and bilateral institutions. As of December 31, 2020, 19.4% and 1.7% of total public sector debt is owed to multilateral and bilateral institutions, respectively. The interest rates on debt issued to international institutions tends to be lower given preferential conditions available from such institutions.

Weighted average interest rates as of December 31, 2020, for external and internal public sector debt were 4.5% and 7.0%, respectively. Interest payments for debt service as of December 31, 2020, are valued at 1.7% of GDP, or 17.1% of tax revenues.

Long-term internal debt and multilateral debt contributes to reduce rollover risk. The Average Time to Maturity of external and domestic internal debt as of December 31, 2020, was 10.5 years for both. The weighted maturity overall is also 10.5 years. Low interest rates of debt issued to multilateral and bilateral institutions contribute to reduce the rollover risk.

Public Sector External Debt

As of December 31, 2020, public sector external debt was composed 51.0% by debt issued to private creditors (bondholders); 45.1% by debt issued to multilateral institutions; and the remainder, 3.9%, was issued to bilateral organizations and governments. As of December 31, 2020, the Government's public sector external debt and its debt service was 99.4% and 8.2% of total exports (FOB), respectively.

The following table sets forth the composition of public sector external debt by creditor as of the dates indicated.

Public Sector External Debt by Creditor
(in millions of US\$⁽¹⁾ except %)

	As of December 31,				
	2016 ⁽²⁾	2017 ⁽²⁾	2018 ⁽²⁾	2019 ⁽³⁾	2020 ⁽³⁾
Official Creditors:					
Multilateral organizations					
Inter-American Development Bank.....	2,403.7	2,262.2	2,196.5	2,070.4	2,174.5
World Bank.....	1,675.3	1,555.3	1,718.0	1,640.5	1,758.1
CABEI.....	1,084.5	1,014.4	957.7	861.1	773.8
International Fund for Agricultural Development.....	6.5	9.2	7.6	4.6	2.3
Organization of Petroleum Exporting Countries.....	6.2	6.0	4.8	5.4	4.4
Total multilateral organizations.....	5,176.2	4,847.1	4,884.6	4,582.1	4,713.1
Bilateral lending institutions:					
United States (US-AID, C.C.C.).....	6.2	5.0	4.4	3.5	2.6
Kreditanstalt für Wiederaufbau—Germany.....	53.3	58.1	55.9	54.1	57.5
Canadian International Development Agency.....	0.8	0.7	0.6	0.6	0.5
Union Bank of Switzerland.....	2.0	1.3	0.8	0.4	0.1
Japanese International Cooperation Agency.....	125.7	121.4	130.8	136.4	165.7
Eximbank—Republic of China (Taiwan).....	17.1	33.9	50.5	50.0	50.0
International Cooperation and Development Fund—Republic of China (Taiwan).....	4.4	3.6	2.9	2.1	1.4
BBVAE—Spain.....	32.0	28.3	24.5	20.7	17.0
BNDES—Brazil.....	167.8	153.8	139.8	125.8	111.8
Total bilateral lending institutions.....	409.3	406.2	410.1	393.8	406.7
Private Creditors:					
5.75% Notes due 2022.....	700.0	700.0	700.0	700.0	700.0
4.875% Notes due 2028.....	700.0	700.0	700.0	700.0	700.0
8.125% Notes due 2034.....	330.0	330.0	330.0	330.0	330.0
4.500% Notes due 2026.....	700.0	700.0	700.0	700.0	700.0
4.375% Notes due 2027.....	—	500.0	500.0	500.0	500.0
4.900% Notes due 2030.....	—	—	—	500.0	500.0
5.375% Notes due 2032.....	—	—	—	—	500.0
6.125% Notes due 2050.....	—	—	—	700.0	1,400.0
Total private creditors.....	2,430.0	2,930.0	2,930.0	4,130.0	5,330.0
Total.....	8,015.5	8,183.2	8,224.6	9,105.8	10,449.8
External debt (as % of GDP).....	12.01	11.42	11.56	11.83	13.59
External debt interest service (as % of GDP)(4).....	0.52	0.51	0.49	0.53	0.59

(1) Non-U.S. dollar amounts are translated to U.S. dollars at the official exchange rate for each year-end date.

(2) Preliminary data for percentages.

(3) Estimated data for percentages.

(4) Includes interest and commissions.

Source: Ministry of Public Finance.

For 2016 through 2020, the Guatemalan public sector has slightly decreased its bilateral and commercial bank debt, the debt to multilateral institutions has decreased, while the debt issued to the private sector has steadily increased. A significant portion of the multilateral and bilateral debt of the public sector is on favorable terms, which are characterized by long maturity contracts, significant grace periods and low interest rates.

The principal creditors that hold public sector external debt as of December 31, 2020, are the bond holders (51.0%), the IADB (20.8%), the World Bank (16.8%), and the Central American Bank for Economic Integration (7.4%).

As set forth in the following table, substantially all of the public sector external debt of the Republic as of December 31, 2020 was denominated in U.S. dollars (97.8%).

Summary of Public Sector External Debt by Currency
(in millions of US\$⁽¹⁾ except %)

Currency	As of December 31, 2020	
	Amount	% of total external debt
U.S. dollar	10,217.5	97.8
Japanese yen.....	165.7	1.6
Euros	63.6	0.6
Special drawing right ⁽²⁾	2.3	—
Canadian dollar	0.5	—
Swiss franc	0.1	—
Total	10,449.8	100.0

(1) Non-U.S. dollar amounts are translated to U.S. dollars at the official exchange rate for each year-end date.

(2) Unit of account of IMF.

Source: Ministry of Public Finance.

The following table sets forth information regarding public sector external debt service as of the dates indicated.

Public Sector External Debt Service
(in millions of US\$)⁽¹⁾

	As of December 31,				
	2016	2017	2018	2019	2020
Interest payments ⁽²⁾	343.8	365.8	361.9	409.4	459.0
Amortization	344.4	446.8	336.9	390.0	404.6
Total public sector external debt service ⁽³⁾	<u>688.2</u>	<u>812.6</u>	<u>698.8</u>	<u>799.4</u>	<u>863.5</u>
Total public sector external debt service:					
as % of total exports (FOB).....	7.7	8.4	7.2	8.1	8.2
as % of GDP.....	1.0	1.1	1.0	1.0	1.1
as % of total tax revenue	9.7	10.5	8.9	9.8	11.1

(1) Non-U.S. dollar amounts are translated to U.S. dollars at the official average daily exchange rate for each year.

(2) Includes interest and commissions.

(3) Includes Central Government debt and rest of the public sector guaranteed by the Republic.

Source: Ministry of Public Finance and Bank of Guatemala.

As set forth in the preceding table, public sector external debt service as percentage of total exports (FOB) has slightly increased from 7.7% in 2016 to 8.2% in 2020. For the same period, debt service as percentage of GDP has remained at the level (1.1%); and debt service as percentage of tax revenue has increased from 9.7% in 2016 to 11.1% in 2020. These trends are associated to an increase of the participation of internal debt in the Portfolio.

The following table sets forth information regarding external public sector debt by interest rate for the years indicated.

Public Sector External Debt by Interest Rate Type
(in millions of US\$⁽¹⁾ and as % of total)

	As of December 31,									
	2016		2017		2018		2019		2020	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
Fixed rate.....	3,205.3	40.0	3,660.9	44.7	3,619.9	44.0	4,788.3	52.6	5,901.3	56.5
Floating rate.....	4,810.2	60.0	4,522.3	55.3	4,604.7	56.0	4,317.5	47.4	4,548.5	43.5
Total	8,015.5	100.0	8,183.2	100.0	8,224.6	100.0	9,105.8	100.0	10,449.8	100.0

(1) Non-U.S. dollar amounts are translated to U.S. dollars at the official exchange rate for each year-end date.

Source: Ministry of Public Finance.

As of December 31, 2020, 56.5% of the Republic's public sector external debt was set at fixed rates, the change in the principal amount of public sector external debt at fixed rates with respect to 2019 resulted from the US\$1,200.0 million principal amount of bonds issued in the capital markets in 2020.

The following table sets forth the projections of debt service on existing public sector external debt for 2021 through 2032.

Debt Service on Current Public Sector External Debt⁽¹⁾
(in millions of US\$)⁽²⁾

	2021		2022		2023		2024	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
Government.....	378.0	476.2	1,072.3	440.9	347.7	404.5	373.0	388.8
Rest of public sector.....	7.3	1.3	6.2	1.0	5.2	0.8	5.2	0.6
Total	385.3	477.4	1,078.5	441.8	352.9	405.3	378.2	389.4
	2025		2026		2027		2028	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
Government	383.1	372.0	1,071.3	340.6	823.3	299.8	1,179.5	255.8
Rest of public sector.....	4.6	0.3	2.3	0.2	1.4	0.1	0.4	0.1
Total	387.7	372.4	1,073.6	340.7	824.6	299.9	1,179.9	255.9
	2029		2030		2031		2032	
	Principal	Interest	Principal	Interest	Principal	Interest	Principal	Interest
Government.....	439.1	219.2	569.6	197.4	404.9	176.3	381.8	159.5
Rest of public sector.....	0.4	0.1	0.4	0.1	0.4	—	0.4	—
Total	439.4	219.2	569.9	197.5	405.3	176.3	382.2	159.5

(1) Amounts are for existing public sector external debt as of December 31, 2020.

(2) Non-U.S. dollar amounts are translated to U.S. dollars at the official exchange rate as of December 31, 2020.

Source: Ministry of Public Finance.

Internal Debt

Public sector internal debt, which does not include debt of the Bank of Guatemala, was US\$13,824.3 million (Q107,743.9 million) as of December 31, 2020. A portion of such debt is owed to public sector entities.

As of December 31, 2020, public sector internal debt is comprised of government bonds denominated in local currency (93.8%), with the remainder denominated in U.S. dollars (6.2%). All of the bonds denominated in local currency bear interest at fixed rates. Internal debt as a percentage of GDP and as percentage of the total public debt was 18.0% and 57.0%, respectively. The following table, which does not include debt of the Bank of Guatemala, sets forth outstanding public sector internal debt as of the dates indicated.

Public Sector Internal Debt by Currency⁽¹⁾
(in millions of US\$⁽²⁾ and as % of total)

	As of December 31,									
	2016		2017 ⁽³⁾		2018 ⁽³⁾		2019 ⁽³⁾		2020 ⁽⁴⁾	
	US\$	%	US\$	%	US\$	%	US\$	%	US\$	%
Quetzales.....	7,822.7	90.0	9,020.2	91.6	9,823.5	92.3	10,504.2	92.7	12,969.6	93.8
U.S. dollars.....	869.3	10.0	829.8	8.4	825.0	7.7	825.0	7.3	854.6	6.2
Total	8,692.0	100.0	9,849.9	100.0	10,648.5	100.0	11,329.2	100.0	13,824.3	100.0
Internal debt as % of										
GDP.....	13.0		13.7		15.0		14.7		18.0	
Internal debt as % of										
public debt.....	52.0		54.6		56.4		55.4		57.0	

(1) Includes certain bonds of the Government held by entities of the public sector, such as the Guatemalan Institute of Social Security.

(2) Translated from *quetzales* to U.S. dollars at the end of period official exchange rate for each year.

(3) Preliminary data for percentages.

(4) Estimated data for percentages.

Source: Ministry of Public Finance.

Q1,449.0 million (US\$189.9 million). The Bank of Guatemala requested that these quasi-fiscal losses be included in the budget for 2017, but Congress only approved Q646.0 million and restored that amount to the Bank of Guatemala by the end of 2017. In 2016, quasi-fiscal losses reached Q1,369.9 million (US\$182.1 million); however, since the 2018 Budget was not approved by Congress, the amount remains to be restored to the Bank of Guatemala.

In 2017, quasi-fiscal losses reached Q1,479.3 million (US\$201.4 million). The Bank of Guatemala that they be included in the 2018 budget, but Congress only approved Q699.5 million. In 2018, quasi-fiscal losses reached Q644.4 million (US\$83.3 million) which was included in the draft Budget for 2020 but was not approved by Congress. In summary, from 2002 to 2018, Q10,210.8 million (approximately US\$1,332.8 million) in quasi-fiscal losses have yet to be restored to the Bank of Guatemala.

In 2019 and 2020, the quasi-fiscal balance registered a gain of Q306.5 million (US\$39.8 million) and Q1,607.0 million (US\$206.2 million), respectively.

DESCRIPTION OF THE NOTES

The 2033 Notes will be issued under a fiscal agency agreement, to be dated as of October 7, 2021 (the “2033 Notes Fiscal Agency Agreement”), between the Republic and The Bank of New York Mellon, as fiscal agent, paying agent, registrar and transfer agent.

The 2041 Notes will be issued under a fiscal agency agreement, to be dated as of October 7, 2021 (the “2041 Notes Fiscal Agency Agreement” and, together with the 2033 Notes Fiscal Agency Agreement, the “Fiscal Agency Agreements”), between the Republic and The Bank of New York Mellon, as fiscal agent, paying agent, registrar and transfer agent.

You can find the definition of certain capitalized terms used in this section under “—Certain Definitions.” References to “holders” mean those persons or entities who have Notes registered in their names on the books the fiscal agent maintains for these purposes, and not those who own beneficial interests in Notes issued in book-entry form through DTC or any other clearing system or in Notes registered in street name.

This section of this offering memorandum is intended to be an overview of the material provisions of the Notes and the Fiscal Agency Agreements. Because this section is only a summary, it does not contain all the information that may be important to you as a potential investor in the Notes. Therefore, you should refer to the Fiscal Agency Agreements for a complete description of the Republic’s obligations and your rights as a holder of the Notes. The holders of the Notes of a series will be entitled to the benefits of, be bound by, and be deemed to have notice of, all the provisions of the Fiscal Agency Agreement pursuant to which such Notes were issued. Copies of the Fiscal Agency Agreements will be on file and may be inspected at the principal office of the fiscal agent in The City of New York and at the offices of the paying agent specified on the back cover page of this offering memorandum.

General Terms of the 2033 Notes

The 2033 Notes will:

- have an issue date of October 7, 2021;
- be limited to an aggregate principal amount of US\$500,000,000 (except as provided under “—Further Issuances” and “—Replacement, Exchange and Transfer”);
- have a final maturity date of October 7, 2033 (the “2033 Notes Maturity Date”), and be repaid at par on the 2033 Notes Maturity Date.
- be issued in denominations of US\$200,000 and integral multiples of US\$1,000 in excess thereof;
- bear interest at a rate of 3.700% per year, from and including October 7, 2021, to, but excluding, the 2033 Notes Maturity Date. Interest on the 2033 Notes will be payable semi-annually in arrears on April 7 and October 7 of each year, commencing on April 7, 2022. Interest on the 2033 Notes will be computed on the basis of a 360-day year consisting of 12 months of 30 days each;
- pay interest to persons in whose names the 2033 Notes are registered at the close of business on the April 1 and October 1, as the case may be, preceding each payment date (each, a “Regular Record Date” with respect to the 2033 Notes);
- be subject to optional redemption prior to their scheduled maturity as described under “—Optional Redemption—2033 Notes”;
- constitute general, unconditional, unsubordinated Indebtedness of the Republic backed by the full faith and credit of the Republic;
- be at least equal in right of payment with all of the Republic’s other existing and future unsubordinated and unsecured Public External Indebtedness; it being understood that this provision shall not be construed to require the Republic to make payments under the 2033 Notes ratably with payments being made under any other Public External Indebtedness;
- be represented by one or more Global Notes in book-entry, registered form only; and

- contain “collective action clauses” under which the Republic may amend certain key terms of the 2033 Notes, including the maturity date, the interest rate and other terms, with the consent of less than all of the holders of the 2033 Notes.

General Terms of the 2041 Notes

The 2041 Notes will:

- have an issue date of October 7, 2021;
- be limited to an aggregate principal amount of US\$500,000,000 (except as provided under “—Further Issuances” and “—Replacement, Exchange and Transfer”);
- have a final maturity date of October 7, 2041 (the “*2041 Notes Maturity Date*”), and be repaid at par on the 2041 Notes Maturity Date.
- be issued in denominations of US\$200,000 and integral multiples of US\$1,000 in excess thereof;
- bear interest at a rate of 4.650% per year, from and including October 7, 2021, to, but excluding, the 2041 Notes Maturity Date. Interest on the 2041 Notes will be payable semi-annually in arrears on April 7 and October 7 of each year, commencing on April 7, 2022. Interest on the 2041 Notes will be computed on the basis of a 360-day year consisting of 12 months of 30 days each;
- pay interest to persons in whose names the 2041 Notes are registered at the close of business on the April 1 and October 1, as the case may be, preceding each payment date (each, a “*Regular Record Date*” with respect to the 2041 Notes);
- be subject to optional redemption prior to their scheduled maturity as described under “—Optional Redemption—2041 Notes”;
- constitute general, unconditional, unsubordinated Indebtedness of the Republic backed by the full faith and credit of the Republic;
- be at least equal in right of payment with all of the Republic’s other existing and future unsubordinated and unsecured Public External Indebtedness; it being understood that this provision shall not be construed to require the Republic to make payments under the 2041 Notes ratably with payments being made under any other Public External Indebtedness;
- be represented by one or more Global Notes in book-entry, registered form only; and
- contain “collective action clauses” under which the Republic may amend certain key terms of the 2041 Notes, including the maturity date, the interest rate and other terms, with the consent of less than all of the holders of the 2041 Notes.

Form, Denomination and Title

The Notes will be issued in U.S. dollars, in fully registered form, without coupons, in denominations of US\$200,000 or any amount in excess thereof which is an integral multiple of US\$1,000. The Notes, and transfer thereof, will be registered as provided under “—Replacement, Exchange and Transfer” and in the Fiscal Agency Agreements.

The Notes of each series will be represented by one or more registered Global Notes as follows, but in limited circumstances may be represented by Notes in certificated definitive form (see “Book-Entry Settlement and Clearance”):

- Notes sold to qualified institutional buyers in reliance on Rule 144A under the Securities Act will be represented by one or more Global Notes (which we refer to in this offering memorandum as the “*Rule 144A Global Note*”); and
- Notes sold in offshore transactions to non-U.S. persons in reliance on Regulation S under the Securities Act will be represented by one or more Global Notes (which we refer to in this offering memorandum as the “*Regulation S Global Note*” and, together with the Rule 144A Global Note, the “*Global Notes*”).

A person in whose name a Note is registered will, to the fullest extent permitted by law, be treated at all times, by all persons and for all purposes as the absolute owner of such Note regardless of any notice of ownership, theft or loss or of any writing thereon.

Payments and Agents

The principal of the Notes will be payable in U.S. dollars against surrender of such Notes at the office of the paying agent in The City of New York or, subject to applicable laws and regulations, at the office of any paying agent by U.S. dollar check drawn on, or upon application of any holder of at least US\$1,000,000 principal amount of Notes by transfer to a U.S. dollar account maintained by the holder with, a bank located in The City of New York.

Payment of any installment of interest on a Note will be made only to the person in whose name such Note is registered at the close of business on the applicable Regular Record Date immediately preceding the related scheduled payment date as defined on the face of the Notes. Payment of such interest will be made by a check in U.S. dollars drawn on a bank in The City of New York mailed to the holder at such holder's registered address or upon application of any holder of at least US\$1,000,000 principal amount of Notes to the paying agent in The City of New York not later than the applicable Regular Record Date, by transfer of immediately available funds to a U.S. dollar account maintained by such holder with a bank in The City of New York. Payments of Principal and interest on Notes held in book-entry form will be made in accordance with the procedures of DTC.

All moneys paid by or on behalf of the Republic to any paying agent for the payments of the principal of or interest on any Note which remain unclaimed at the end of two years after such principal or interest will have become due and payable will, upon written request of the Republic, be repaid to the Republic, and the holder of such Note will thereafter look only to the Republic for payment. Upon such repayment, all liability of any paying agent with respect to the Note will cease, without, however, limiting in any way the obligation of the Republic in respect of the amount so repaid, subject to the provisions set forth under "—Prescription."

The Republic has agreed that, so long as any Note remains Outstanding, it will maintain (i) a registrar having a specified office in The City of New York, (ii) a paying agent in The City of New York and (iii) a paying agent in Luxembourg for so long as the Notes are listed on the Luxembourg Stock Exchange and the rules of such exchange so require. The Republic has initially appointed the paying agent and transfer agent for the Notes specified on the inside back cover page of this offering memorandum. Subject to the foregoing, the Republic will have the right at any time to terminate any such appointment and to appoint any other agents in such other places as it may deem appropriate upon notice in accordance with "—Notices" and in accordance with the Fiscal Agency Agreements.

Payments in respect of the Notes will be made in such coin or currency of the United States that is legal tender for the payment of public and private debts at the time of payment.

In any case when a scheduled payment date is not a business day at any place of payment, then the relevant payment need not be made on such date at such place, but may be made on the next succeeding day at such place which is a business day in the applicable jurisdiction, with the same force and effect as if made on the date for such payment, and no additional interest in respect of such scheduled payment date will accrue for the period from and after such scheduled payment date.

In acting under each Fiscal Agency Agreement and in connection with the Notes, each of the fiscal agent, paying agent, transfer agent and registrar is acting solely as agent of the Republic and does not assume any obligation toward or relationship of agency or trust for or with the owner or holder of any Note except that any funds held by any such agent for payment of principal of or interest (or any Additional Amounts) on the Notes will be held in trust by it and applied as set forth in the Notes and each Fiscal Agency Agreement, and will be segregated from other funds held by it. For a description of the duties and the immunities and rights of each such agent under the Fiscal Agency Agreements, reference is made to the Fiscal Agency Agreements, and the obligations of each of the agents to the owners or holders of Notes are subject to such immunities and rights.

The Fiscal Agency Agreements contain provisions relating to the rights, obligations and duties of the fiscal agent, indemnification of the fiscal agent, release of the fiscal agent from responsibility for certain actions taken by it, and the replacement, in certain circumstances, of the fiscal agent by another qualified financial institution.

Additional Amounts

All payments by the Republic in respect of the Notes will be made without withholding or deduction for or on account of any present or future taxes, duties, fines, penalties, assessments or other governmental charges of whatever nature (or interest on any present or future taxes, duties, fines, penalties, assessments or other governmental charges of whatever nature) imposed or levied by the Republic or any political subdivision or authority of the Republic having power to tax or any other jurisdiction through which payments on the Notes are made (each a “*Relevant Jurisdiction*”) (“*Taxes*”), unless it is compelled by law to deduct or withhold such Taxes. In such event, the Republic will (i) pay such additional amounts (“*Additional Amounts*”) as may be necessary to ensure that the net amounts receivable by the holders of the Notes after the withholding or deduction will equal the amount which would have been receivable in respect of the Notes in the absence of such withholding or deduction; (ii) make such withholding; and (iii) make payment of the amount so withheld to the appropriate governmental authority. No such Additional Amounts will, however, be payable in respect of:

- any Taxes with respect to the Notes that would not have been imposed but for the holder or beneficial owner having some connection with the Relevant Jurisdiction otherwise than merely by the holding of such Note or by the receipt of principal or interest in respect of the Notes;
- any Taxes with respect to the Notes that are imposed by reason of the holder’s or beneficial owner’s failure to comply with any reasonable certification, identification or other reporting requirement concerning the nationality, residence, identity or connection with the Relevant Jurisdiction or any political subdivision or taxing authority of such jurisdiction of such holder or the holder of any interest in such Notes or rights in respect of the Notes, if compliance is required by the Relevant Jurisdiction, or any political subdivision or taxing authority of such jurisdiction, as a precondition to exemption from or reduction in such deduction or withholding; *provided, however*, that the limitations on the Republic’s obligations to pay Additional Amounts set forth in this clause will not apply if such certification, identification, or other reporting requirement would be materially more onerous, in form, in procedure, or in substance of information disclosed by the relevant holders or beneficial owners, than comparable information or other reporting requirements imposed under U.S. federal tax law, regulation and administrative practice (such as U.S. Internal Revenue Service Forms W-8BEN-E, W-8ECI or W-9); or
- any Taxes with respect to the Notes that are imposed by reason of the failure of the holder or beneficial owner to present such Notes for payment (where such presentation is required) within 30 calendar days after the date on which such payment on the Notes became due and payable or is duly provided for and notice of the date on which payment is due is given to the holder, whichever occurs later, except to the extent such holder would have been entitled to receive such Additional Amounts if such Notes had been presented on the last day of such 30-day period.

Whenever the payment of the principal of, or interest on, or any amounts in respect of, the Notes, are mentioned in any context, such mention will be deemed to include the payment of Additional Amounts to the extent that, in such context, Additional Amounts are, were or would be payable in respect of the Notes, and express mention of the payment of Additional Amounts, if applicable, will not be construed as excluding Additional Amounts where such express mention is not made.

Further Issuances

The Republic may from time to time, without the consent of the holders of the Notes of a series, create and issue additional Notes of such series having the same terms and conditions as the Notes of such series in all respects, except for the issue date, the issue price, the date from which interest accrues and the first date on which interest will be paid. Additional Notes of a series issued in this manner will be consolidated with and will form a single issue with the Notes of such series; *provided* that, if any such additional Notes are not fungible for U.S. federal income tax purposes with any Notes of such series previously issued, such additional Notes shall trade separately from such previously issued Notes under a separate CUSIP number but shall otherwise be treated as a single class with all other previously issued Notes of such series.

Replacement, Exchange and Transfer

If any Note will become mutilated or defaced or be destroyed, lost or stolen, the fiscal agent will authenticate and deliver a new Note on such terms as the Republic and the fiscal agent may require, in exchange and

substitution for the mutilated or defaced Note or in lieu of and in substitution for the destroyed, lost or stolen Note. In every case of mutilation, defacement, destruction, loss or theft, the applicant for a substitute Note must furnish the Republic and the fiscal agent such indemnity as the Republic and the fiscal agent may require and evidence to their satisfaction of the destruction, loss or theft of such Note and of the ownership of the Note. In every case of mutilation or defacement of a Note, the holder will surrender to the fiscal agent the mutilated or defaced Note. In addition, prior to the issuance of any substitute Note, the Republic may require the payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation to such issuance and any other related expenses, including the fees and expenses of the fiscal agent. If any Note which has matured or is about to mature will become mutilated or defaced or be apparently destroyed, lost or stolen, the Republic may pay or authorize payment of such Note without issuing a substitute Note.

Upon the terms and subject to the conditions set forth in the Fiscal Agency Agreements, a Note or Notes may be exchanged for a Note or Notes of equal aggregate principal amount in such same or different authorized denominations as may be requested by the holder, by surrender of such Note or Notes at the office of the registrar, or at the office of any transfer agent, together with a written request for the exchange.

Upon the terms and subject to the conditions set forth in the Fiscal Agency Agreements and subject to the restrictions on transfer described under “Transfer Restrictions,” a Note may be transferred in whole or in part in an authorized denomination by the holder or holders surrendering the Note for registration of transfer at the office of the registrar or at the office of any transfer agent, duly endorsed by, or accompanied by a written instrument of transfer in lieu of endorsement in form satisfactory to the Republic and the registrar or any such transfer agent, as the case may be, duly executed by, the holder or holders of such Note or its attorney-in-fact or attorneys-in-fact duly authorized in writing.

The costs and expenses of effecting any exchange or registration of transfer pursuant to the foregoing provisions will be borne by the Republic, except for the expenses of delivery other than by regular mail, if any, and except for, if the Republic requires it, the payment of a sum sufficient to cover any tax or other governmental charge or insurance charges that may be imposed in relation to such exchange or registration of transfer.

Notwithstanding the foregoing, the registrar, the transfer agent or the fiscal agent, as the case may be, will not be required to register the transfer or exchange of Notes of a series for a period of 15 days preceding the due date for any payment of principal or interest on the Notes of such series.

Optional Redemption

2033 Notes

Prior to July 7, 2033 (the date that is three months prior to the 2033 Notes Maturity Date (the “*2033 Notes Par Call Date*”)), the Republic may, at its option, redeem the 2033 Notes, in whole or in part, at any time or from time to time at a redemption price, calculated by a calculation agent appointed by the Republic, equal to the greater of (1) 100% of the outstanding principal amount of such 2033 Notes and (2) the sum of the present value of each remaining scheduled payment of principal and interest thereon (exclusive of interest accrued to the redemption date), as if called on the 2033 Notes Par Call Date, discounted to the redemption date on a semi-annual basis (assuming a 360-day year composed of twelve 30-day months) at the Treasury Rate plus 40 basis points, plus, in each case, accrued and unpaid interest on the outstanding principal amount of the 2033 Notes to be redeemed to, but excluding, the redemption date.

On or after the 2033 Notes Par Call Date, the Republic may, at its option, redeem the 2033 Notes, in whole or in part, at any time or from time to time at a redemption price equal to 100% of the principal amount of the 2033 Notes to be redeemed, plus accrued and unpaid interest on the outstanding principal amount of the 2033 Notes to be redeemed to, but excluding, the redemption date.

Notice of any redemption will be mailed by first-class mail, postage prepaid, or delivered in accordance with the procedures of DTC, at least 30 but not more than 60 days before the redemption date to holders of the 2033 Notes to be redeemed at their respective registered addresses and to the fiscal agent; *provided, however*, that if the fiscal agent provides notice on behalf of the Republic, the fiscal agent will receive notice no later than 40 days prior to the redemption date. For so long as the 2033 Notes are listed on the Official List of the Luxembourg Stock Exchange for trading on the Euro MTF Market and the rules of such exchange so require, the Republic will also cause notices of redemption to be published as described under “—Notices.”

2033 Notes, when called for redemption as specified herein, will become due on the date fixed for redemption. The Republic will pay the redemption price for the 2033 Notes to be redeemed together with accrued and unpaid interest thereon to, but excluding, the redemption date. On and after the redemption date, interest will cease to accrue on the 2033 Notes subject to redemption as long as the Republic has deposited with the fiscal agent or a paying agent funds in satisfaction of the applicable redemption price pursuant to terms of the 2033 Notes. Upon redemption of any 2033 Notes by the Republic, such 2033 Notes will be cancelled.

2041 Notes

Prior to April 7, 2041 (the date that is six months prior to the 2041 Notes Maturity Date (the “*2041 Notes Par Call Date*”)), the Republic may, at its option, redeem the 2041 Notes, in whole or in part, at any time or from time to time at a redemption price, calculated by a calculation agent appointed by the Republic, equal to the greater of (1) 100% of the outstanding principal amount of such 2041 Notes and (2) the sum of the present value of each remaining scheduled payment of principal and interest thereon (exclusive of interest accrued to the redemption date), as if called on the 2041 Notes Par Call Date, discounted to the redemption date on a semi-annual basis (assuming a 360-day year composed of twelve 30-day months) at the Treasury Rate plus 45 basis points, plus, in each case, accrued and unpaid interest on the outstanding principal amount of the 2041 Notes to be redeemed to, but excluding, the redemption date.

On or after the 2041 Notes Par Call Date, the Republic may, at its option, redeem the 2041 Notes, in whole or in part, at any time or from time to time at a redemption price equal to 100% of the principal amount of the 2041 Notes to be redeemed, plus accrued and unpaid interest on the outstanding principal amount of the 2041 Notes to be redeemed to, but excluding, the redemption date.

Notice of any redemption will be mailed by first-class mail, postage prepaid, or delivered in accordance with the procedures of DTC, at least 30 but not more than 60 days before the redemption date to holders of the 2041 Notes to be redeemed at their respective registered addresses and to the fiscal agent; *provided, however*, that if the fiscal agent provides notice on behalf of the Republic, the fiscal agent will receive notice no later than 40 days prior to the redemption date. For so long as the 2041 Notes are listed on the Official List of the Luxembourg Stock Exchange for trading on the Euro MTF Market and the rules of such exchange so require, the Republic will also cause notices of redemption to be published as described under “—Notices.”

2041 Notes, when called for redemption as specified herein, will become due on the date fixed for redemption. The Republic will pay the redemption price for the 2041 Notes to be redeemed together with accrued and unpaid interest thereon to, but excluding, the redemption date. On and after the redemption date, interest will cease to accrue on the 2041 Notes subject to redemption as long as the Republic has deposited with the fiscal agent or a paying agent funds in satisfaction of the applicable redemption price pursuant to terms of the 2041 Notes. Upon redemption of any 2041 Notes by the Republic, such 2041 Notes will be cancelled.

Covenants

So long as any Note of a series remains Outstanding, the Republic has agreed to certain covenants with respect to such series, including:

Negative Pledge: So long as any Note of a series is Outstanding, the Republic will not create or allow any Lien to exist on the whole or any part of its present or future revenues, properties or assets to secure any Public External Indebtedness unless, at the same time or prior to the creation of the Lien, the Republic’s obligations under the Notes of such series are secured equally and ratably with such Public External Indebtedness. The Republic may, however, create or allow the following permitted Liens (each, a “*Permitted Lien*”):

- any Lien upon property to secure Public External Indebtedness incurred for the purpose of financing the acquisition of such property by the Republic and any renewal or extension of any such Lien which is limited to the original property covered by the Lien and which secures only the renewal or extension of the original secured financing;
- any Lien existing in respect of an asset at the time of its acquisition by the Republic and any renewal or extension of any such Lien which is limited to the original asset covered by the Lien and which secures only the renewal or extension of the original secured obligation;

- any Lien in existence on the date of the Fiscal Agency Agreement with respect to such series, including any renewal or extension of such Lien which secures only the renewal or extension of the original secured financing;
- any Lien securing Public External Indebtedness incurred for the purpose of financing all or part of the costs of the acquisition, construction or development of a project and any renewal or extension of any such Lien; *provided that*:
 - the holders of such Public External Indebtedness expressly agree to limit their recourse to the assets and revenues of such project as the principal source of repayment of such Public External Indebtedness; and
 - the property over which such Lien is granted consists solely of such assets and revenues or claims that arise from the operation, failure to meet specifications, failure to complete, exploitation, sale or loss of, or damage to, such assets; and

Liens in addition to those permitted by other Permitted Liens above, and any renewal or extension of such Liens; *provided that* the aggregate amount of Public External Indebtedness secured by all such additional Liens does not exceed US\$45,000,000 (or its equivalent in other currencies) at any time.

Authorizations: The Republic will:

- obtain and maintain in full force and effect all approvals, authorizations, permits, consents, exemptions and licenses and will take all other actions (including, without limitation, any notice to, or filing or registration with, any agency, department, ministry, authority, statutory corporation or other body or juridical entity of the Republic or regulatory or administrative body of the Republic) which may be necessary for the issuance, continued validity and enforceability of the Notes of such series; and
- take all necessary and appropriate governmental and administrative action (including, without limitation, making all necessary budget appropriations) in order for the Republic to be able to make all payments required under the Notes of such series.

Membership in International Monetary Fund: The Republic will maintain its membership in, and eligibility to use the general resources of, the International Monetary Fund.

Listing: The Republic will make reasonable commercial efforts to list the Notes of such series, and thereafter to maintain the listing of the Notes of such series, on the Luxembourg Stock Exchange.

Ranking: The Republic will ensure that its obligations under the Notes of such series will at all times constitute direct, general, unconditional, unsubordinated and unsecured Indebtedness of the Republic ranking at all times equally among themselves without any preference and at least equally with all other existing and future unsubordinated and unsecured Public External Indebtedness of the Republic, it being understood that this provisions shall not be construed to require the Republic to make payments under the Notes of such series ratably with payment being made under any other Public External Indebtedness.

Events of Default

Each of the following is an “*Event of Default*” with respect to each series of the Notes:

- (1) *Non-Payment of Principal:* Failure to pay for 30 continuous calendar days principal of any Notes of such series when due;
- (2) *Non-Payment of Interest:* Failure to pay for 30 continuous calendar days interest on the Notes of such series when due;
- (3) *Breach of Other Obligations:* Failure to perform any other obligation under the Notes of such series for a period of 60 calendar days following written notice of such failure to the fiscal agent by a holder of the Notes of such series requiring the breach to be remedied;
- (4) *Cross-Default:* Failure to make any payment in an aggregate principal amount in excess of US\$35,000,000 (or its equivalent in other currencies) in respect of Public External Indebtedness when payable (whether upon maturity, acceleration or otherwise, as such time may be extended by any applicable grace period or waiver);

(5) *Moratorium*: Formal and official declaration by the Republic of a moratorium with respect to the payment of principal of or interest on Public External Indebtedness which does not expressly exclude the Notes of such series; or

(6) *Denial of Obligations under Notes*: Denial by an authorized official of the Republic's obligations under the Notes of such series or the Fiscal Agency Agreement pursuant to which the Notes of such series were issued,

then, in any such event, the holders of at least 25% of the aggregate principal amount of the Outstanding Notes of such series may, by written notice given to the Republic and the fiscal agent, declare the principal of and any accrued interest on the Notes held by such holders to be, and such principal and any interest shall thereupon become, immediately due and payable immediately at their principal face amount plus interest accrued thereon to the date of payment, including any Additional Amounts, unless prior to receipt of such demand by the Republic all such Events of Default shall have been cured. If any Event of Default described in clauses (1) through (6) above shall give rise to a declaration which shall be effective and such Event of Default is cured or waived following such declaration, then such declaration may be rescinded and annulled by the affirmative vote of the holders of 66⅔% or more of the aggregate principal amount of the Outstanding Notes of such series in accordance with the procedures set forth under "—Collective Action; Meetings, Modifications, Amendments and Waivers." Any Event of Default in respect of Indebtedness outstanding as of the date of the Fiscal Agency Agreements and arising in the form of a guarantee to secure obligations for borrowed money for which a financial institution controlled by the Republic is liable shall not constitute an Event of Default under clause (4) above unless the Republic's guarantee in respect of such Indebtedness has been approved by appropriate and specific Congressional action of the Republic.

Collective Action; Meetings, Modifications, Amendments and Waivers

The discussion below applies to each series of Notes and each Fiscal Agency Agreement individually.

Meetings

A meeting of holders of Notes may be called, as set forth below, at any time and from time to time to make, give or take any request, demand, authorization, direction, notice, consent, waiver or other action provided by the Fiscal Agency Agreement or the Notes to be made, given or taken by holders of Notes or to modify, amend or supplement the terms and conditions of the Notes or the Fiscal Agency Agreement as provided below. The Republic may at any time call a meeting of holders of Notes for any such purpose to be held at such time and at such place as the Republic will determine. Notice of every such meeting, setting forth the time and the place of such meeting and in reasonable detail the action proposed to be taken at such meeting, will be given as provided in the Fiscal Agency Agreement and Notes, not less than 30 nor more than 60 calendar days prior to the date fixed for the meeting. In case at any time the Republic or the holders of at least 10% in aggregate principal amount of the Notes then Outstanding will have requested the fiscal agent to call a meeting of the holders of Notes for any such purpose, by written request setting forth the time and place of, and in reasonable detail the action proposed to be taken at, the meeting, the fiscal agent will call such a meeting for such purposes by giving notice of the meeting as provided in the Fiscal Agency Agreement and the Notes.

To be entitled to vote at any meeting of holders of Notes, a person must be a holder of Outstanding Notes or a person duly appointed by an instrument in writing as proxy for such holder. The persons entitled to vote a majority in principal amount of the Outstanding Notes will constitute a quorum at any meeting of holders other than a meeting held to discuss a Reserved Matter (as defined below). With respect to any meeting of holders of Notes to discuss a Reserved Matter, (i) the persons entitled to vote 75% in principal amount of the Outstanding Notes will constitute a quorum if the Republic has selected either of the first two modification methods described below, and (ii) the persons entitled to vote a majority in principal amount of the Outstanding Notes will constitute a quorum if the Republic has selected the third modification method described below. In the absence of a quorum within 30 minutes of the time appointed for any such meeting, the meeting will, if convened at the request of the holders, be dissolved. In any other case, the meeting may be adjourned for a period of not less than 10 calendar days as determined by the chairman of the meeting prior to the adjournment of such meeting. In the absence of a quorum at any such adjourned meeting, such adjourned meeting may be further adjourned for a period of not less than 10 calendar days as determined by the chairman of the meeting prior to the adjournment of such adjourned meeting. Notice of the reconvening of any adjourned meeting will be given in the same manner as provided in the preceding paragraph. The quorum requirements set forth above shall apply to any meeting reconvened for lack of a quorum. Any meeting of holders of Notes at which a quorum is present may be adjourned from time to time by a vote of a

majority in principal amount of the Outstanding Notes represented at the meeting, and such adjourned meeting may be reconvened without further notice (except that if and for so long as the Notes are listed on the Luxembourg Stock Exchange, as may be required under the regulations of such exchange).

Holders of the Notes may also take any action that could be taken at a meeting of holders of Notes pursuant to written action with the consent of holders of the requisite percentage of Notes. The Republic will solicit any such consents not less than 30 nor more than 60 calendar days prior to the date fixed as the expiration date for the receipt of such consents as specified by the Republic.

Modification of Matters Other Than Reserved Matters

Subject to the provisions set forth below with respect to Reserved Matters, the holders of the Notes may generally approve, by vote or consent of not less than the majority of the aggregate principal amount of the Notes then Outstanding, any modification, amendment, supplement or waiver to the Fiscal Agency Agreement and/or the Notes proposed by the Republic.

Reserved Matters; Collective Action

Subject to the terms and conditions applicable to each series of Outstanding Debt Securities (as defined below), holders of such Outstanding Debt Securities (including the Notes) may approve, by vote or consent through one of three modification methods described below, any modification, amendment, supplement or waiver proposed by the Republic that would do any of the following:

- change the due dates for the payment of the principal of, or any installment of interest on, any Outstanding Debt Securities (including the Notes);
- reduce the principal amount of any series of Outstanding Debt Securities (including the Notes), or the portion of such principal amount which is payable upon acceleration of the maturity of such Outstanding Debt Securities (other than in accordance with the express terms thereof);
- reduce the interest rate on any Outstanding Debt Securities (including the Notes);
- change the method used to calculate any amount payable on any Outstanding Debt Securities (including the Notes)(other than in accordance with the express terms thereof);
- change the currency in which any payment in respect of any Outstanding Debt Securities (including the Notes) is payable or the place or places in which such payment is to be made;
- modify the obligation of the Republic to make any payments on any Outstanding Debt Securities (including the Notes)(including any redemption price therefor);
- change the identity of the obligor under any Outstanding Debt Securities (including the Notes);
- change the definition of “Outstanding” with respect to any Outstanding Debt Securities (including the Notes);
- change the percentage of affirmative votes or written consents, as the case may be, required to make a “Reserved Matter Modification” (as defined in the Fiscal Agency Agreement);
- change the definition of “Uniformly Applicable” or “Reserved Matter Modification”;
- change the governing law, the courts to the jurisdiction of which the Republic has submitted, the Republic’s obligation to appoint and maintain an agent for service of process in the Borough of Manhattan, The City of New York or the Republic’s waiver of immunity in respect of actions or proceedings brought by any holder under the terms of any Outstanding Debt Securities (including the Notes);
- change the ranking of any Outstanding Debt Securities, (including the Notes), as described under “— Ranking”;
- in connection with an offer to acquire all or any portion of the Notes, amend any event of default under any Outstanding Debt Securities (including the Notes);

- change the obligation of the Republic to pay Additional Amounts in respect of any Outstanding Debt Securities (including the Notes);
- authorize the relevant fiscal agent or trustee, on behalf of the holders of any Outstanding Debt Securities (including the Notes), to exchange or substitute all of the Outstanding Debt Securities (including the Notes) for, or convert all of the debt securities into, other obligations of the Republic or any other person; or
- reduce the percentage or proportion of the principal amount of any Outstanding Debt Securities (including the Notes) that is required to modify, amend or supplement the Fiscal Agency Agreement (or any other agreement or indenture pursuant which any debt securities are issued) or the terms and conditions of any Outstanding Debt Securities (including the Notes) or to make, take or give any request, demand, authorization, direction, notice, consent, waiver or other action provided in the Fiscal Agency Agreement (or any other agreement or indenture pursuant which debt securities are issued) or any Outstanding Debt Securities (including the Notes) to be made, taken or given.

Any such modification, amendment or supplement will be binding on the holders of the relevant Outstanding Debt Securities (including the Notes). We refer to the above matters as “*Reserved Matters*.” A change to a Reserved Matter, including the payment terms of any series of Outstanding Debt Securities (including the Notes), can be made without your consent, as long as the change is approved, pursuant to one of the three following modification methods, by vote or consent by:

- the holders of more than 75% of the aggregate principal amount of the Outstanding Notes insofar as the change affects the Notes (but does not modify the terms of any other series of debt securities issued by the Republic);
- where such proposed modification would affect the Outstanding Notes and at least one other series of Outstanding Debt Securities, the holders of more than 75% of the aggregate principal amount of the then Outstanding Debt Securities of all of the series affected by the proposed modification, taken in the aggregate, if certain “Uniformly Applicable” requirements are met (a “*Cross-Series Modification With Single Aggregated Voting*”); or
- where such proposed modification would affect the Outstanding Notes and at least one other series of Outstanding Debt Securities, whether or not the “Uniformly Applicable” requirements are met, the holders of more than 66⅔% of the aggregate principal amount of the then Outstanding Debt Securities of all of the series affected by the proposed modification, taken in the aggregate, and the holders of more than 50% of the aggregate principal amount of the then Outstanding Debt Securities of each series affected by the modification, taken individually.

Any modification consented to or approved by the holders of debt securities (including the Notes) pursuant to the above provisions will be conclusive and binding on all holders of the relevant series of debt securities (including the Notes) or all holders of all series of debt securities (including the Notes) affected by a Cross-Series Modification (as defined below), as the case may be, whether or not any such holders have given such consent, and on all future holders of those debt securities (including the Notes) whether or not notation of such modification is made upon the debt securities. Any such modification will be conclusive and binding on all subsequent holders of that debt security.

“*Uniformly Applicable*,” as used herein, means a modification by which holders of Outstanding Debt Securities of all series affected by that modification (including the Notes, if so affected) are invited to exchange, convert or substitute their debt securities on the same terms for (x) the same new instruments or other consideration or (y) new instruments or other consideration from an identical menu of instruments or other consideration. It is understood that a modification will not be considered to be Uniformly Applicable if each exchanging, converting or substituting holder of debt securities of any series affected by that modification is not offered the same amount of consideration per amount of principal, the same amount of consideration per amount of interest accrued but unpaid and the same amount of consideration per amount of past due interest, respectively, as that offered to each other exchanging, converting or substituting holder of debt securities of any series affected by that modification (or, where a menu of instruments or other consideration is offered, each exchanging, converting or substituting holder of debt securities of any series affected by that modification is not offered the same amount of consideration per amount of principal, the same amount of consideration per amount of interest accrued but unpaid and the same amount of

consideration per amount of past due interest, respectively, as that offered to each other exchanging, converting or substituting holder of debt securities of any series affected by that modification electing the same option under such menu of instruments).

We may select, in our discretion, any modification method for a Reserved Matter Modification in accordance with the Fiscal Agency Agreement and the Notes and to designate which series of debt securities will be included for approval in the aggregate of modifications affecting two or more series of debt securities. Any selection of a modification method or designation of series to be included will be final for the purpose of that vote or consent solicitation.

For so long as any series of debt securities (collectively, the “*Outstanding Debt Securities*”) constituting Public External Indebtedness issued by the Republic on or after April 28, 2016 pursuant to a fiscal agency or other agreement or an indenture containing provisions substantially the same as those set forth under this “—Reserved Matters; Collective Action” caption (each, an “*Outstanding Debt Agreement*”) is outstanding, if we certify to the fiscal agent under the Fiscal Agency Agreement and to the fiscal agent or trustee under the relevant Outstanding Debt Agreement that a proposed modification affecting more than one series of debt securities issued by the Republic (a “*Cross-Series Modification*”) is being sought simultaneously with an “Outstanding Debt Agreement Reserved Matter Modification,” the Outstanding Debt Securities affected by such Outstanding Debt Agreement Reserved Matter Modification shall be treated as “series affected by that proposed modification” as that phrase is used in the Fiscal Agency Agreement (as described in the preceding paragraphs); *provided*, that if we seek a Cross-Series Modification With Single Aggregated Voting, in determining whether such modification will be considered Uniformly Applicable, the holders of any series of Outstanding Debt Securities affected by the Outstanding Debt Agreement Reserved Matter Modification shall be deemed “holders of debt securities of all series affected by that modification,” for the purpose of the definition of “Uniformly Applicable.” It is the intention that in such circumstances, the votes of the holders of the affected Outstanding Debt Securities be counted for purposes of the voting thresholds specified in the Fiscal Agency Agreement for the applicable Cross-Series Modification as though those Outstanding Debt Securities had been affected by that Cross-Series Modification, although the holders of any Notes will be deemed to have acknowledged and agreed that the effectiveness of any modification, as it relates to the Outstanding Debt Securities, shall be governed exclusively by the terms and conditions of those Outstanding Debt Securities and by the applicable Outstanding Debt Agreement; *provided, however*, that no such modification as to such Outstanding Debt Securities will be effective unless such modification shall have also been adopted by and become binding up on the holders of the Outstanding Debt Securities pursuant to the amendment and modification provisions of such Outstanding Debt Securities set forth in the applicable Outstanding Debt Agreement.

“*Outstanding Debt Agreement Reserved Matter Modification*,” for these purposes, means any modification to a reserved matter affecting the terms and conditions of one or more series of the Outstanding Debt Securities, pursuant to an Outstanding Debt Agreement.

Before soliciting any consent or vote of any holder of Outstanding Debt Securities (including the Notes) for any change to a Reserved Matter, we will provide the following information to the fiscal agent for distribution to the holders of debt securities of any series that would be affected by the proposed modification:

- a description of our economic and financial circumstances that are in our opinion relevant to the request for the proposed modification, a description of our existing debt and description of our broad policy reform program and provisional macroeconomic outlook;
- if we shall at the time have entered into an arrangement for financial assistance with major creditors or creditor groups and/or an agreement with any such creditors regarding debt relief, (x) a description of any such arrangement or agreement and (y) where permitted under the information disclosure policies of the creditors, as applicable, a copy of the arrangement or agreement;
- a description of our proposed treatment of external debt instruments that are not affected by the proposed modification and our intentions with respect to any other major creditor groups; and
- if we are then seeking any Reserved Matter Modification affecting any other series of debt securities, a description of that proposed modification.

The vote or consent of the holders of the Notes is not necessary under the Fiscal Agency Agreement to approve the particular form of any proposed amendment, modification, supplement or waiver. It is sufficient if the vote or consent approves the substance of the proposed amendment, modification, supplement or waiver.

Other Amendments

The Republic and the fiscal agent may, upon agreement between themselves, without the affirmative vote or consent of any holder of Notes, modify, amend or supplement the Fiscal Agency Agreement and/or the Notes for the following purposes:

- adding to the covenants of the Republic for the benefit of the holders of Notes;
- surrendering any rights or power conferred upon the Republic;
- securing the Notes pursuant to the requirements of the Notes or otherwise;
- curing, correcting or supplementing any ambiguous, inconsistent or defective provision contained in the Fiscal Agency Agreement or in the Notes; or
- amending the Fiscal Agency Agreement or the terms and conditions of the Notes in any manner which will not adversely affect the rights or interests of any holder of Notes in any material respect.

Prescription

All claims against the Republic for payment of principal of or interest (including Additional Amounts, if any) on or in respect of the Notes will be prescribed unless made within five years from the date on which such payment first became due.

Notices

From and after the date the Notes are admitted to listing on the Official List of the Luxembourg Stock Exchange and to trading on the Euro MTF Market and so long as it is required by the rules of such exchange, all notices to the holders of the Notes will be published in English:

- (1) in a leading newspaper having a general circulation in Luxembourg (which is expected to be the *Luxemburger Wort*);
- (2) if such Luxembourg publication is not practicable, in one other leading English language newspaper being published on each day in morning editions, whether or not it shall be published in Saturday, Sunday or holiday editions; or
- (3) on the website of the Luxembourg Stock Exchange at www.bourse.lu.

Notices shall be deemed to have been given on the date of publication as aforesaid or, if published on different dates, on the date of the first such publication. In addition, notices to holders of certificated Notes will be mailed to holders of Notes at their registered addresses and notices to holders of Global Notes will be given to DTC in accordance with its applicable procedures.

Governing Law

The Notes and the Fiscal Agency Agreements will be governed by, and construed in accordance with, the laws of the State of New York, United States of America, except that the due authorization and execution of the Notes by the Republic will be governed by the laws of the Republic of Guatemala.

Submission to Jurisdiction

The Republic will irrevocably submit to the non-exclusive jurisdiction of any New York state or U.S. federal court sitting in The City of New York, and any appellate court from any such courts, in any suit, action or proceeding arising out of or relating to the offering and sale of the Notes or the Republic's failure, or alleged failure, to perform any obligations under the Notes (a "*related proceeding*," which term will exclude claims or causes of action arising under the U.S. federal securities laws) and the Republic will irrevocably agree that all claims in respect of any related proceeding may be heard and determined in any such New York state or U.S. federal court. The Republic will irrevocably waive, to the fullest extent it may effectively do so, the defense of an inconvenient forum to the maintenance of any related proceeding, and any objection to any related proceeding, whether on the grounds of venue, residence or domicile. The Republic will agree that a final judgment in any related proceeding will be conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law. The Republic agrees to cause an appearance to be filed on its behalf and to defend itself in connection with any legal action instituted against it. However, a default judgment obtained in the United States

against the Republic, resulting from the Republic's failure to appear and defend itself in any suit filed against the Republic, or from the Republic's deemed absence at the proceedings, may not be enforceable in the Republic.

The Republic will appoint the person for the time being acting as, or discharging the function of, Consul General of Guatemala in The City of New York (currently with an office at 276 Park Avenue South, 2nd Floor, New York, New York 10016), and agrees that for so long as any Note remains Outstanding the person from time to time so acting, or discharging such functions, will be deemed to have been appointed as the Republic's Agent for service of process (the "*process agent*") to receive on behalf of the Republic and its property service of copies of the summons and complaint and any other process which may be served in any related proceeding in any New York state or U.S. federal court sitting in The City of New York. The Republic will agree that such service may be made by U.S. registered mail or by delivering by hand a copy of such process to the Republic in care of the process agent at the address specified above for the process agent (and the Republic will agree that such service will be effective upon the mailing or delivery by hand of such process to the office of the process agent), and the Republic will authorize and direct the process agent to accept on its behalf such service. The Republic will agree that failure of the process agent to give notice to the Republic, or failure of the Republic to receive notice, of such service of process will not affect in any way the validity of such service on the process agent or the Republic. The Republic will also irrevocably consent to the service of any and all process in any related proceeding in any New York state or U.S. federal court sitting in The City of New York by depositing with the U.S. mail, postage prepaid, copies of such process addressed to the Republic at the Ministry of Public Finance, and the Republic will agree that such service will be effective seven days after mailing thereof. The Republic will agree that it will take any and all reasonable actions that may be necessary to continue the designation of the process agent in full force and effect, and to cause the process agent to continue to act as such. In addition, the Republic will agree that none of its agreements described in this paragraph or the preceding paragraph will affect the right of any party to serve legal process in any other manner permitted by law or affect the right of any party to bring any suit, action or proceeding against any other party or its property in the courts of other jurisdictions. However, the Republic has not consented to service in respect of any action, suit or proceeding brought against it under U.S. federal or any state securities laws.

To the extent that the Republic has or from this date forward may acquire any immunity (sovereign or otherwise) from jurisdiction of any court or from any legal process (whether through service or notice, attachment prior to judgment, attachment in aid of execution, execution or otherwise) with respect to itself or its property, the Republic has, to the fullest extent permitted under the U.S. Foreign Sovereign Immunities Act of 1976 or any other applicable law, irrevocably waived such immunity in respect of any action or proceeding arising out of, or related to, the offering and sale of the Notes or the Republic's failure, or alleged failure, to perform any obligations under the Notes; *provided, however*, that, under the laws of the Republic, the property and revenues of the Republic inside Guatemala are exempt from attachment or other form of execution, whether before or after judgment. The Republic's waiver of sovereign immunity does not extend to actions brought under the U.S. federal securities laws.

Currency Indemnity

If for the purpose of obtaining judgment in any court it is necessary to convert a sum due under the Notes or a situation described above to the holder of a Note in one currency into another currency, the Republic and each holder will be deemed to have agreed that the exchange rate used will be that at which in accordance with normal banking procedures such holder could purchase the first currency with such other currency in the city which is the principal financial center of the country of issue of the first currency on the second business day preceding the day on which final judgment is given.

The obligation of the Republic in respect of any sum payable by it to the holder of a Note will, notwithstanding any judgment in a currency (the "*Judgment Currency*") other than that in which such sum is denominated in accordance with the applicable provisions of the Notes (the "*Note Currency*"), be discharged only to the extent that on the business day following receipt by such holder of the Note of any sum adjudged to be so due in the Judgment Currency, such holder of the Note may in accordance with normal banking procedures purchase the Note Currency with the Judgment Currency. If the amount of the Note Currency so purchased is less than the sum originally due to the holder of the Note in the Note Currency (determined in the manner set forth in the preceding paragraph), the Republic will agree, as a separate obligation and notwithstanding any such judgment, to indemnify the holder of the Note against such loss, and if the amount of the Note Currency so purchased exceeds the sum originally due to the holder of the Note such holder will agree to remit to the Republic such excess; *provided* that such holder will have no obligation to remit any such excess as long as the Republic will have failed to pay such

holder any obligations due and payable under the Note, in which case such excess may be applied to such obligations of the Republic under the Note in accordance with the terms of the Note.

Certain Definitions

Set forth below is a summary of certain defined terms used in the Fiscal Agency Agreements. Reference is made to the Fiscal Agency Agreements for a full definition of all such terms, as well as any other terms used herein for which no definition is provided.

“*Comparable Treasury Issue*” means the United States Treasury security selected by an Independent Investment Banker as having an actual or interpolated maturity comparable to the Par Call Date of the series of Notes to be redeemed that would be utilized, at the time of selection and in accordance with customary financial practice, in pricing new issues of debt securities of a comparable maturity to the Par Call Date of the Notes of such series.

“*Comparable Treasury Price*” means, with respect to any redemption date, (1) the arithmetic average of the Reference Treasury Dealer Quotations for the applicable redemption date after excluding the highest and lowest Reference Treasury Dealer Quotations for such redemption date, or (2) if the Independent Investment Banker obtains fewer than four Reference Treasury Dealer Quotations, the arithmetic average of all such Reference Treasury Dealer Quotations.

“*External*” means, with reference to any Indebtedness, any Indebtedness that is issued under an instrument subject to, or under the laws of, a jurisdiction other than the Republic.

“*Indebtedness*” means a person’s actual or contingent payment obligations for borrowed money, together with such person’s actual or contingent liabilities under guarantee or similar arrangements to secure the payment of any other party’s obligations for borrowed money.

“*Independent Investment Banker*” means one of the Reference Treasury Dealers appointed by the Republic.

“*Lien*” means any lien, pledge, mortgage, security interest, deed of trust, charge or other encumbrance or preferential arrangement having the practical effect of constituting a security interest, whether in effect on the date of the Fiscal Agency Agreements or at any time thereafter, including, without limitation, any equivalent claim or interest created or arising under the laws of the Republic.

“*Outstanding*” means any Notes authenticated and delivered pursuant to a Fiscal Agency Agreement (or debt securities authenticated and delivered under an Outstanding Debt Agreement), except for:

- (i) Notes theretofore canceled by the registrar or delivered to the fiscal agent, any paying agent or any transfer agent for cancellation or held by the fiscal agent for reissuance but not reissued by the fiscal agent; or
- (ii) Notes in lieu of or in substitution for which other Notes have been authenticated and delivered pursuant hereto;

provided, however, that in determining whether the holders of the requisite principal amount of outstanding Notes (or other debt securities) are present at a meeting of holders of Notes (or debt securities) for quorum purposes or have consented to or voted in favor of any request, demand, authorization, direction, notice, consent, waiver, amendment, modification or supplement, Notes (or other debt securities) will be disregarded and deemed not to be outstanding, and may not be counted for quorum purposes or in any consent or vote with respect to any request, demand, authorization, direction, notice, consent, waiver, amendment, modification or supplement, if on the record date for the proposed action, such Notes (or other debt securities) are held by the Republic or by a Public Sector Instrumentality of Republic, except that (x) Notes (or debt securities) held by the Republic or any Public Sector Instrumentality of the Republic which have been pledged in good faith may be regarded as outstanding if the pledgee establishes to the satisfaction of the fiscal agent the pledgee’s right so to act with respect to such Notes (or debt securities) and that the pledgee is not the Republic or a Public sector instrumentality of the Republic, and in case of a dispute concerning such right, the advice of counsel shall be full protection in respect of any decision made by the fiscal agent in accordance with such advice and any certificate, statement or opinion of counsel may be based, insofar as it relates to factual matters or information which is in the possession of the fiscal agent, upon the certificate, statement or opinion of or representations by the fiscal agent and (y) in determining whether the fiscal agent will be protected in relying upon any such action or instructions, or any notice from holders, only Notes (or

other debt securities) that a responsible officer of the fiscal agent knows to be so owned or controlled will be so disregarded.

As used in this definition, “*Public Sector Instrumentality*” means any (i) department, secretary, ministry or agency of the central government of the Republic and (ii) corporation, trust or other legal entity controlled by the central government of the Republic or by any of the entities identified in the preceding clauses (i) and (ii). The term “*control*” for these purposes means the power, directly or indirectly, through the ownership of voting securities or other ownership interests, by contract or otherwise, to direct the management of or to elect or to appoint a majority of the board of directors or other persons performing similar functions in lieu of, or in addition to, the board of directors of that legal entity.

“*Public External Indebtedness*” means Public Indebtedness that is External.

“*Public Indebtedness*” means any Indebtedness of, or guaranteed by, the Republic that:

- is publicly offered or privately placed in securities markets;
- is in the form of, or represented by, bonds, Notes or other securities or any guarantees thereof;
- is, or was expressly intended at the time of issue to be, quoted, listed or traded on any stock exchange, automated trading system or over-the-counter or other securities market (including, without prejudice to the generality of the foregoing, securities that are issued for cash consideration and that are eligible for sale pursuant to Rule 144A or Regulation S under the Securities Act (or any successor law or regulation of similar effect)); and
- has an original maturity of more than one year or is combined with a commitment so that the original maturity of one year or less may be extended at the option of the Republic to a period in excess of one year.

“*Reference Treasury Dealer*” means BofA Securities, Inc. or one of its affiliates, which is a primary U.S. government dealer, plus three other leading primary United States government securities dealers in New York City reasonably designated by the Republic not later than five business days preceding such redemption date; *provided* that, if any of the foregoing ceases to be a primary United States government securities dealer in New York City, the Republic will substitute therefor another primary government securities dealer.

“*Reference Treasury Dealer Quotation*” means, with respect to each Reference Treasury Dealer and any redemption date, the arithmetic average, as determined by the Independent Investment Banker, of the bid and asked prices for the Comparable Treasury Issue (expressed in each case as a percentage of its outstanding principal amount) quoted in writing to Independent Investment Banker by such Reference Treasury Dealer at 3:30 p.m. (New York City time) on the third business day preceding such redemption date.

“*Treasury Rate*” means, with respect to any redemption date, the rate per annum equal to the semi-annual equivalent yield to maturity or interpolated yield to maturity of the applicable Comparable Treasury Issue. In determining the Treasury Rate, the price for the Comparable Treasury Issue (expressed as a percentage of its principal amount) will be assumed to be equal to the Comparable Treasury Price for such redemption date.

BOOK-ENTRY SETTLEMENT AND CLEARANCE

Global Notes

The Notes will initially be issued in the form of registered Global Notes. Upon issuance, the Global Notes will be deposited with the fiscal agent as custodian for DTC and registered in the name of Cede & Co., as nominee of DTC.

Ownership of beneficial interests in the Global Notes will be limited to persons who have accounts with DTC (which we refer to in this offering memorandum as the “DTC participants”) or persons who hold interests through DTC participants. The Republic expects that under procedures established by DTC:

- upon deposit of the Global Notes with DTC’s custodian, DTC will credit portions of the principal amount of such Global Notes to the accounts of the DTC participants designated by the initial purchaser; and
- ownership of beneficial interests in the Global Notes will be shown on, and transfer of ownership of those interests will be effected only through, records maintained by DTC (with respect to interests of DTC participants) and the records of DTC participants (with respect to other owners of beneficial interests in the Global Notes).

Investors may hold their interests in the Global Notes directly through Euroclear or Clearstream, if they are participants in those systems, or indirectly through organizations that are participants in those systems. Investors may also hold their interests in the Global Notes through organizations other than Euroclear or Clearstream that are DTC participants. Each of Euroclear and Clearstream will appoint a DTC participant to act as its depositary for the interests in the Global Notes that are held within DTC for the account of each of these settlement systems on behalf of its respective participants.

Euroclear and Clearstream will hold omnibus positions on behalf of their participants through customers’ securities accounts for Euroclear and Clearstream on the books of their respective depositaries, which, in turn, will hold positions in customers’ securities accounts in the depositaries’ names on the books of DTC.

Beneficial interests in the Global Notes may not be exchanged for Notes in certificated definitive form except in the limited circumstances described below.

The Global Notes and beneficial interests therein will be subject to restrictions on transfer as described under “Transfer Restrictions.”

Exchanges Between the Global Notes of a Series

Beneficial interests in one Global Note may generally be exchanged for interests in another Global Note of the same series. The fiscal agent may require the transferor to provide certain written certifications in the form provided in the applicable fiscal agency agreement.

Any beneficial interest in a Global Note that is transferred to a person who takes delivery through another Global Note will, upon transfer, become subject to any transfer restrictions and other procedures applicable to beneficial interests in the other Global Note.

Book-Entry Procedures for the Global Notes

All interests in the Global Notes will be subject to the operations and procedures of DTC, Euroclear and Clearstream. The Republic provides the following summaries of those operations and procedures solely for the convenience of investors. The operations and procedures of each settlement system are controlled by that settlement system and may be changed at any time. Neither the Republic nor the initial purchaser is responsible for those operations or procedures.

DTC has advised that it is:

- a limited purpose trust company organized under the laws of the State of New York;
- a “banking organization” within the meaning of the New York State Banking Law;
- a member of the U.S. Federal Reserve System;

- a “clearing corporation” within the meaning of the Uniform Commercial Code; and
- a “clearing agency” registered under Section 17A of the U.S. Securities Exchange Act of 1934, as amended.

DTC was created to hold securities for its participants and to facilitate the clearance and settlement of securities transactions between its participants through electronic book-entry changes to the accounts of its participants. DTC’s participants include securities brokers and dealers, including the initial purchaser; banks and trust companies; clearing corporations; and other organizations. Indirect access to DTC’s system is also available to others such as banks, brokers, dealers and trust companies; these indirect participants clear through or maintain a custodial relationship with a DTC participant, either directly or indirectly. Investors who are not DTC participants may beneficially own securities held by or on behalf of DTC only through DTC participants or indirect participants in DTC.

So long as DTC’s nominee is the registered owner of a Global Note, that nominee will be considered the sole owner or holder of the Notes represented by that Global Note for all purposes under the applicable fiscal agency agreement. Except as provided below, owners of beneficial interests in a Global Note:

- will not be entitled to have Notes represented by the Global Note registered in their names;
- will not receive or be entitled to receive physical, certificated Notes; and
- will not be considered the owners or holders of the Notes under the applicable fiscal agency agreement for any purpose, including with respect to the giving of any direction, instruction or approval to the fiscal agent under such fiscal agency agreement.

As a result, each investor who owns a beneficial interest in a Global Note must rely on the procedures of DTC to exercise any rights of a holder of Notes under the applicable fiscal agency agreement (and, if the investor is not a participant or an indirect participant in DTC, on the procedures of the DTC participant through which the investor owns its interest in the Notes).

Payments of principal and interest with respect to the Notes represented by a Global Note will be made by the fiscal agent to DTC’s nominee as the registered holder of the Global Note. Neither the Republic nor the fiscal agent will have any responsibility or liability for the payment of amounts to owners of beneficial interests in a Global Note, for any aspect of the records relating to or payments made on account of those interests by DTC, or for maintaining, supervising or reviewing any records of DTC relating to those interests.

Payments by participants and indirect participants in DTC to the owners of beneficial interests in a Global Note will be governed by standing instructions and customary industry practice and will be the responsibility of those participants or indirect participants and DTC.

Transfers between participants in DTC will be effected under DTC’s procedures and will be settled in same-day funds. Transfers between participants in Euroclear or Clearstream will be effected in the ordinary way under the rules and operating procedures of those systems.

Cross-market transfers in a Global Note between DTC participants, on the one hand, and participants in Euroclear or Clearstream, on the other hand, will be effected within DTC through the DTC participants that are acting as depositaries for Euroclear and Clearstream. To deliver or receive an interest in a Global Note held in a Euroclear or Clearstream account, an investor must send transfer instructions to Euroclear or Clearstream, as the case may be, under the rules and procedures of that system and within the established deadlines of that system. If the transaction meets its settlement requirements, Euroclear or Clearstream, as the case may be, will send instructions to its DTC depository to take action to effect final settlement by delivering or receiving interests in the relevant Global Notes in DTC, and making or receiving payment under normal procedures for same-day funds settlement applicable to DTC. Euroclear and Clearstream participants may not deliver instructions directly to the DTC depositaries that are acting for Euroclear or Clearstream.

Because of time zone differences, the securities account of a Euroclear or Clearstream participant that purchases an interest in a Global Note from a DTC participant will be credited on the business day for Euroclear or Clearstream immediately following the DTC settlement date. Cash received in Euroclear or Clearstream from the sale of an interest in a Global Note to a DTC participant will be received with value on the DTC settlement date but will be available in the relevant Euroclear or Clearstream cash account as of the business day for Euroclear or

Clearstream following the DTC settlement date. Transfers between Global Notes will take place through the fiscal agent.

DTC, Euroclear and Clearstream have agreed to the above procedures to facilitate transfers of interests in the Global Notes among participants in those settlement systems. However, the settlement systems are not obligated to perform these procedures and may discontinue or change these procedures at any time. Neither the Republic nor the fiscal agent will have any responsibility for the performance by DTC, Euroclear or Clearstream or their participants or indirect participants of their obligations under the rules and procedures governing their operations.

Certificated Notes

Notes in physical certificated form will be issued in registered form and delivered to each person that DTC identifies as a beneficial owner of the related Notes only if:

- DTC notifies the Republic at any time that it is unwilling or unable to continue as depository for the Global Notes and a successor depository is not appointed within 90 days;
- DTC ceases to be registered as a clearing agency under the U.S. Securities Exchange Act of 1934, as amended, and a successor depository is not appointed within 90 days;
- the Republic, at its option, notifies the fiscal agent that it elects to cause the issuance of certificated Notes; or
- an Event of Default has occurred and is continuing with respect to the Notes.

TRANSFER RESTRICTIONS

The Notes are subject to the following restrictions on transfer. By purchasing Notes, you will be deemed to have made the following acknowledgments, representations to and agreements with the Republic and the initial purchaser:

(1) You acknowledge that:

- the Notes have not been registered under the Securities Act or any other securities laws and are being offered for resale in transactions that do not require registration under the Securities Act or any other securities laws; and
- unless so registered, the Notes may not be offered, sold or otherwise transferred except under a transaction exempt from, or not subject to, the registration requirements of the Securities Act or any other applicable securities laws, and in each case in compliance with the conditions for transfer set forth in, as applicable, paragraph (4) or (5) below.

(2) You represent that you are not an affiliate (as defined in Rule 144 under the Securities Act) of the Republic, that you are not acting on the Republic's behalf and that either:

- you are a qualified institutional buyer (as defined in Rule 144A under the Securities Act) and are purchasing Notes for your own account or for the account of another qualified institutional buyer, and you are aware that the initial purchaser is selling the Notes to you in reliance upon Rule 144A; or
- you are not a U.S. person (as defined in Regulation S under the Securities Act) or purchasing for the account or benefit of a U.S. person, other than a distributor, and you are purchasing Notes in an offshore transaction in accordance with Regulation S.

(3) You acknowledge that neither the Republic nor the initial purchaser nor any person representing the Republic or the initial purchaser has made any representation to you with respect to the Republic or the offering of the Notes, other than the information contained in this offering memorandum. You agree that you have had access to such information concerning the Republic and the Notes as you have deemed necessary in connection with your decision to purchase Notes, including an opportunity to ask questions of and request information from the Republic.

(4) If you are purchasing Notes in reliance upon Rule 144A, you represent that you are purchasing Notes for your own account, or for one or more investor accounts for which you are acting as a fiduciary or agent, in each case not with a view to, or for offer or sale in connection with, any distribution of the Notes in violation of the Securities Act, subject to any requirement of law that the disposition of your property or the property of that investor account or accounts be at all times within your or their control and subject to your or their ability to resell the Notes pursuant to Rule 144A or any other available exemption from the registration requirements of the Securities Act. You agree on your own behalf and on behalf of any investor account for which you are purchasing Notes, and each subsequent holder of the Notes by its acceptance of the Notes will agree that the Notes may be offered, sold, pledged or otherwise transferred only:

- (a) to the Republic or an affiliate of the Republic;
- (b) under a registration statement that has been declared effective under the Securities Act;
- (c) for so long as the Notes are eligible for resale under Rule 144A, to a person whom the seller reasonably believes is a qualified institutional buyer that is purchasing for its own account or for the account of another qualified institutional buyer and to whom it has given notice that the offer, sale, pledge or other transfer is being made in reliance on Rule 144A;
- (d) through offers and sales that occur outside the United States of America within the meaning of Regulation S; or
- (e) under another available exemption from the registration requirements of the Securities Act.

(5) You also acknowledge that each Global Note will bear a legend substantially to the following effect:

“THIS NOTE HAS NOT BEEN AND WILL NOT BE REGISTERED UNDER THE U.S. SECURITIES ACT OF 1933, AS AMENDED (THE “SECURITIES ACT”), OR THE SECURITIES

LAWS OF ANY STATE OF THE UNITED STATES OR OTHER JURISDICTION. THE OFFER, SALE, PLEDGE OR TRANSFER OF THIS NOTE IS SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS, INCLUDING THOSE SET FORTH IN THE FISCAL AGENCY AGREEMENT REFERRED TO ON THE REVERSE HEREOF. NEITHER THIS SECURITY NOR ANY INTEREST OR PARTICIPATION HEREIN MAY BE REOFFERED, SOLD, ASSIGNED, TRANSFERRED, PLEDGED, ENCUMBERED OR OTHERWISE DISPOSED OF IN THE ABSENCE OF SUCH REGISTRATION OR UNLESS SUCH TRANSACTION IS EXEMPT FROM, OR NOT SUBJECT TO, SUCH REGISTRATION. THE HOLDER HEREOF, BY PURCHASING OR OTHERWISE ACQUIRING THIS NOTE, AGREES ON ITS OWN BEHALF AND ON BEHALF OF ANY INVESTOR ACCOUNT FOR WHICH IT HAS PURCHASED THIS NOTE OR ANY INTEREST HEREIN, FOR THE BENEFIT OF THE REPUBLIC OF GUATEMALA (THE "ISSUER"), TO OFFER, SELL OR OTHERWISE TRANSFER THIS NOTE OR ANY INTEREST HEREIN ONLY (A) TO THE ISSUER, (B) PURSUANT TO A REGISTRATION STATEMENT THAT HAS BEEN DECLARED EFFECTIVE UNDER THE SECURITIES ACT, (C) FOR SO LONG AS THE NOTES ARE ELIGIBLE FOR RESALE UNDER RULE 144A UNDER THE SECURITIES ACT TO A PERSON THAT THE HOLDER REASONABLY BELIEVES IS A "QUALIFIED INSTITUTIONAL BUYER" (AS DEFINED IN RULE 144A) THAT IS PURCHASING FOR ITS OWN ACCOUNT OR FOR THE ACCOUNT OF A QUALIFIED INSTITUTIONAL BUYER TO WHOM NOTICE IS GIVEN THAT THE OFFER, RESALE, PLEDGE OR OTHER TRANSFER IS BEING MADE IN RELIANCE ON RULE 144A UNDER THE SECURITIES ACT, (D) PURSUANT TO OFFERS AND SALES THAT OCCUR OUTSIDE THE UNITED STATES WITHIN THE MEANING OF REGULATIONS UNDER THE SECURITIES ACT, OR (E) PURSUANT TO ANOTHER AVAILABLE EXEMPTION FROM THE REGISTRATION REQUIREMENTS OF THE SECURITIES ACT, SUBJECT TO THE RIGHT OF THE ISSUER PRIOR TO ANY SUCH OFFER, SALE, PLEDGE OR OTHER TRANSFER PURSUANT TO CLAUSE (E) TO REQUIRE THE DELIVERY OF AN OPINION OF COUNSEL, CERTIFICATION AND/OR OTHER INFORMATION SATISFACTORY TO IT. THE FOREGOING LEGEND MAY BE REMOVED FROM THIS NOTE ONLY AT THE OPTION OF THE ISSUER."

(6) If you are purchasing Notes in reliance upon Regulation S, you represent that you are purchasing Notes for your account, or for one or more investors accounts for which you are acting as a fiduciary or agent, in each case not with a view to, or for offer or sale in connection with, any distribution of the Notes in violation of the Securities Act.

(7) You also acknowledge that the Republic, the initial purchaser and others will rely upon the truth and accuracy of the above acknowledgments, representations and agreements. You agree that if any of the acknowledgments, representations or agreements you are deemed to have been made by your purchase of Notes is no longer accurate, you will promptly notify the Republic and the initial purchaser. If you are purchasing any Notes as a fiduciary or agent for one or more investor accounts, you represent that you have sole investment discretion with respect to each of those accounts and that you have full power to make the above acknowledgments, representations and agreements on behalf of each account.

Because of the foregoing transfer restrictions, purchasers of Notes are advised to consult their respective legal advisors prior to making any offer, resale, pledge or other transfer of Notes.

TAXATION

The following discussion summarizes certain U.S. federal income and Guatemalan tax considerations that may be relevant to you if you invest in the Notes. This summary is based on laws, regulations, rulings and decisions now in effect in the United States and on laws and regulations in effect in Guatemala, in each case which may change. Any change could apply retroactively and could affect the continued validity of this summary.

This summary does not describe all of the tax considerations that may be relevant to you or your situation, particularly if you are subject to special tax rules. You should consult your tax advisors about the tax consequences of holding the Notes, including the relevance to your particular situation of the considerations discussed below, as well as of state, local and other tax laws.

Guatemalan Taxation

Under current Guatemalan law, the payment of principal on the Notes placed outside Guatemala is not subject to Guatemalan income or withholding tax.

With respect to withholding on interest payments on the Notes, Section 100 of the 2012 Tax Update Law provides that interest (including interest on debt securities issued by the Government) and other payments made by the Government to non-resident entities are exempt from withholding tax. In addition, Section 71.i) of the Organic Budget Law (Decree No. 101-97) provides that all interest payments on the Notes are exempt from withholding tax, regardless of who is the Note holder. In the event that the Government were to impose a withholding tax (currently 10%), the Notes provide that the Republic will be obligated to pay Additional Amounts, subject to certain exceptions. See “Description of the Notes—Additional Amounts.”

Gains realized on the sale or other disposition of the Notes outside or inside Guatemala are not subject to Guatemalan income or withholding tax.

There are no Guatemalan inheritance or succession taxes applicable to the Notes, provided that the Notes are not physically located in the territorial jurisdiction of Guatemala and that the probate is not initiated and administered in Guatemala.

Certain U.S. Federal Income Tax Consequences to U.S. Holders

The following is a summary of certain United States federal income tax consequences of the purchase, ownership and disposition of the Notes. This summary deals only with Notes that are held as capital assets by a U.S. holder (as defined below) who acquires the Notes upon original issuance at their initial offering price.

A “U.S. holder” means a beneficial owner of the Notes that is, for United States federal income tax purposes, any of the following:

- an individual citizen or resident of the United States;
- a corporation (or any other entity treated as a corporation for United States federal income tax purposes) created or organized in or under the laws of the United States, any state thereof or the District of Columbia;
- an estate the income of which is subject to United States federal income taxation regardless of its source; or
- a trust if it (1) is subject to the primary supervision of a court within the United States and one or more United States persons have the authority to control all substantial decisions of the trust or (2) has a valid election in effect under applicable United States Treasury regulations to be treated as a United States person.

This summary is based upon provisions of the U.S. Internal Revenue Code of 1986, as amended (the “Code”), and regulations, rulings and judicial decisions as of the date hereof. Those authorities may be changed, perhaps retroactively, so as to result in United States federal income tax consequences different from those summarized below. This summary does not address all of the United States federal income tax consequences that may be relevant to U.S. holders in light of their personal circumstances, nor does it address the Medicare tax on net investment income, United States federal estate and gift taxes or the effects of any state, local or non-United States tax laws. In addition, it does not represent a detailed description of the United States federal income tax

consequences applicable to you if you are subject to special treatment under the United States federal income tax laws. For example, this summary does not address:

- tax consequences to U.S. holders who may be subject to special tax treatment, such as dealers in securities or currencies, traders in securities that elect to use the mark-to-market method of accounting for their securities, financial institutions, regulated investment companies, real estate investment trusts, partnerships or other pass-through entities for United States federal income tax purposes, tax-exempt entities or insurance companies;
- tax consequences to persons holding the Notes as part of a hedging, integrated, constructive sale or conversion transaction or a straddle;
- tax consequences to U.S. holders whose “functional currency” is not the United States dollar;
- tax consequences attributable to persons being required to accelerate the recognition of any item of gross income with respect to the Notes as a result of such income being recognized on an applicable financial statement; or
- alternative minimum tax consequences, if any.

If a partnership (or other entity or arrangement treated as a partnership for United States federal income tax purposes) holds the Notes, the tax treatment of a partner will generally depend upon the status of the partner and the activities of the partnership. If you are a partnership or a partner of a partnership considering an investment in the Notes, you should consult your tax advisors.

If you are considering the purchase of Notes, you should consult your own tax advisors concerning the particular United States federal income tax consequences to you of the purchase, ownership and disposition of the Notes, as well as the consequences to you arising under other United States federal tax laws and the laws of any other taxing jurisdiction.

Payments of Interest

Interest on a Note will generally be taxable to you as ordinary income at the time it is paid or accrued in accordance with your method of accounting for United States federal income tax purposes. In addition to interest on the Notes, which includes any Guatemalan tax withheld from the interest payments received, you will be required to include in income any Additional Amounts paid in respect of any such Guatemalan withholding tax. You may be entitled to credit any such withholding tax against your United States federal income tax liability, or, alternatively, you may be entitled to deduct any such withholding tax from your United States federal taxable income, in either case, subject to certain limitations (including that the election to deduct or credit foreign taxes applies to all of your applicable foreign taxes for a particular tax year). Interest income (including any Additional Amounts) on a Note will generally be considered foreign source income and, for purposes of the United States foreign tax credit, will generally be considered passive category income. You will generally be denied a foreign tax credit for foreign taxes imposed with respect to the Notes where you do not meet a minimum holding period requirement during which you are not protected from risk of loss. The rules governing the foreign tax credit are complex. You are urged to consult your tax advisors regarding the availability of the foreign tax credit under your particular circumstances.

Sale, Exchange, Retirement or other Disposition of Notes

Upon the sale, exchange, retirement or other taxable disposition of a Note, you will recognize gain or loss equal to the difference between the amount you realize upon the sale, exchange, retirement or other taxable disposition (less an amount equal to any accrued but unpaid interest, which will be taxable as interest income to the extent not previously included in income) and your adjusted tax basis in the Note. Your adjusted tax basis in a Note will generally be your cost for that Note reduced by any previous payments of principal. Any gain or loss you recognize will generally be capital gain or loss and will generally be long-term capital gain or loss if you have held the Note for more than one year. Long-term capital gains of non-corporate U.S. holders (including individuals) are eligible for reduced rates of taxation. The deductibility of capital losses is subject to limitations. Any gain or loss you recognize will generally be treated as United States source gain or loss for purposes of determining your United States foreign tax credit limitations.

Backup Withholding and Information Reporting

Generally, information reporting will apply to all payments of interest and principal on a Note and the proceeds from a sale or other disposition of a Note paid to you, unless you are an exempt recipient. Additionally, if you fail to provide your taxpayer identification number, or in the case of interest payments, fail either to report in full dividend and interest income or to make certain certifications, you may be subject to backup withholding on any such payments or proceeds.

Backup withholding is not an additional tax and any amounts withheld under the backup withholding rules will be allowed as a refund or a credit against your United States federal income tax liability provided the required information is timely furnished to the Internal Revenue Service.

Specified Foreign Financial Assets

You may be subject to reporting obligations with respect to the Notes if you do not hold the Notes in an account maintained by a United States financial institution and the aggregate value of your Notes and certain other “specified foreign financial assets” (applying certain attribution rules) exceeds applicable threshold amounts. Significant penalties can apply if a U.S. holder is required to disclose its Notes and fails to do so.

The Proposed Financial Transactions Tax

The European Commission has published a proposal (the “Commission’s Proposal”) for a Directive for a common financial transactions tax (“FTT”) in Austria, Belgium, Estonia, France, Germany, Greece, Italy, Portugal, Slovenia, Slovakia and Spain (the “participating Member States”). However, Estonia has since stated that it will not participate.

The Commission’s Proposal has very broad scope and could, if introduced in its published form, apply to certain dealings in the Notes (including secondary market transactions) in certain circumstances.

Under the Commission’s Proposal, the FTT could apply in certain circumstances to persons both within and outside of the participating Member States. Generally, it would apply to certain dealings in the Notes where at least one party is a financial institution, and at least one party is established in a participating Member State. A financial institution may be, or be deemed to be, “established” in a participating Member State in a broad range of circumstances, including (a) by transacting with a person established in a participating Member State or (b) where the financial instrument which is subject to the dealings is issued in a participating Member State.

The FTT remains subject to negotiation between the participating Member States. It may therefore be altered prior to any implementation, the timing of which remains unclear. Additional EU Member States may decide to participate and/or certain of the participating Member States may decide to withdraw.

Prospective holders of the Notes are advised to seek their own professional advice in relation to the FTT.

THIS SUMMARY DOES NOT CONSTITUTE A COMPLETE ANALYSIS OF ALL TAX CONSEQUENCES RELATING TO THE OWNERSHIP OF NOTES. PROSPECTIVE PURCHASERS OF NOTES SHOULD CONSULT THEIR OWN TAX ADVISORS CONCERNING THE CONSEQUENCES OF OWNING THE NOTES.

PLAN OF DISTRIBUTION

BofA Securities Inc. is acting as initial purchaser of the offering of the Notes. Subject to the terms and conditions in the Purchase Agreement between the Republic and the initial purchaser, dated the date of this offering memorandum (the “Purchase Agreement”), the Republic has agreed to sell to the initial purchaser, and the initial purchaser has agreed to purchase from the Republic, all of the Notes if it purchases any of the Notes.

The initial purchaser is offering the Notes, subject to prior sale, when, as and if issued to and accepted by it, subject to approval of legal matters by counsel, including the validity of the Notes, and other conditions contained in the Purchase Agreement, such as the receipt by the initial purchaser of officer’s certificates and legal opinions. The initial purchaser reserves the right to withdraw, cancel or modify offers to the public and to reject orders in whole or in part.

The Republic has been advised that the initial purchaser proposes to resell the Notes at the offering price set forth on the cover page of this offering memorandum within the United States in reliance on Rule 144A and outside the United States in reliance on Regulation S. See “Transfer Restrictions.” The price at which the Notes are offered may be changed at any time without notice.

The Notes have not been and will not be registered under the Securities Act and may not be offered or sold within the United States or to, or for the account or benefit of, U.S. persons (as defined in Regulation S) except in transactions exempt from, or not subject to, the registration requirements of the Securities Act. See “Transfer Restrictions.” Accordingly, the initial purchaser has advised us that except as set forth in “Transfer Restrictions,” it will not offer or sell the Notes within the United States or to, or for the account or benefit of, U.S. persons as part of the distribution of the Notes.

Although application will be made to list the Notes on the Luxembourg Stock Exchange and to have the Notes admitted to trading on the Euro MTF Market, any such listing does not assure that a trading market for the Notes will develop. The initial purchaser intends to make a secondary market for the Notes. However, it is not obligated to do so and may discontinue making a secondary market for the Notes at any time without notice. No assurance can be given as to how liquid the trading market for the Notes will be. The Republic cannot assure you that the prices at which the Notes will trade in the market after this offering will not be lower than the initial offering price or that an active trading market for the Notes will develop and continue after this offering. If an active public trading market for the Notes does not develop, the market price and liquidity of the Notes may be adversely affected.

In connection with the offering, the initial purchaser may purchase and sell Notes in the open market. These transactions may include over-allotment, covering transactions and stabilizing transactions. Over-allotment involves sales of Notes in excess of the principal amount of Notes to be purchased by the initial purchaser in this offering, which creates a short position for the initial purchaser. Covering transactions involve purchases of the Notes in the open market after the distribution has been completed in order to cover short positions. Stabilizing transactions consist of certain bids or purchases of Notes made for the purpose of preventing or retarding a decline in the market price of the Notes while the offering is in progress. Any of these activities may have the effect of preventing or retarding a decline in the market price of the Notes. They may also cause the price of the Notes to be higher than the price that otherwise would exist in the open market in the absence of these transactions. The initial purchaser may conduct these transactions in the over-the-counter market or otherwise. If the initial purchaser commences any of these transactions, it may discontinue them at any time.

The initial purchaser and its affiliates have provided investment banking, commercial banking and financial advisory services for the Republic from time to time for which they have received customary fees and reimbursements of expenses and may in the future provide additional services for which they will receive customary fees and reimbursements of expenses.

Additionally, in the ordinary course of their business activities, the initial purchaser and its affiliates may make or hold a broad array of investments and actively trade debt and equity securities (or related derivative securities) and financial instruments (including bank loans) for their own account and for the accounts of their customers. Such investments and securities activities may involve securities and/or instruments of ours or our affiliates. The initial purchaser and their affiliates that have a lending relationship with us routinely hedge their credit exposure to us consistent with their customary risk management policies. Typically, the initial purchaser and its affiliates would hedge such exposure by entering into transactions which consist of either the purchase of credit default swaps or the creation of short positions in our securities, including potentially the Notes offered hereby. Any

such credit default swaps or short positions could adversely affect future trading prices of the Notes offered hereby. The initial purchaser and its affiliates may also make investment recommendations and/or publish or express independent research views in respect of such securities or financial instruments and may hold, or recommend to clients that they acquire, long and/or short positions in such securities and instruments.

Pursuant to the Purchase Agreement, with respect to the Notes, the Republic has agreed to indemnify the initial purchaser against certain liabilities, including liabilities under the Securities Act, or to contribute to payments that the initial purchaser may be required to make because of any of those liabilities.

The Notes have not been offered, sold or delivered and will not be offered, sold or delivered, directly or indirectly, and this offering memorandum or any other offering material relating to the Notes, has not been and will not be distributed in or from any jurisdiction except under circumstances that will result in compliance with the applicable laws and regulations thereof and that will not impose any obligations on the Republic except as set forth in the Purchase Agreement.

No action has been or will be taken by the Republic or the initial purchaser that would or is intended to permit an offering of the Notes or the possession, circulation or distribution of this offering memorandum in preliminary or final form, or any other offering material relating to the Republic or the Notes, in any country or jurisdiction where action for that purpose is required.

The delivery of the Notes is expected to be made against payment therefor on or about October 7, 2021, which will be the fifth business day following the date of pricing of the Notes (such settlement cycle being herein referred to as “T+5”). Under Rule 15c6-1 under the U.S. Securities Exchange Act of 1934, as amended, trades in the secondary market generally are required to settle in two business days, unless the parties to any such trade expressly agree otherwise. Accordingly, purchasers who wish to trade Notes prior to the delivery of the Notes will be required, by virtue of the fact that the Notes initially will settle T+5, to specify an alternate settlement cycle at the time of any such trade to prevent a failed settlement. Purchasers of Notes who wish to trade securities on the date of pricing or the next succeeding business day should consult their own advisor.

Prohibition of Sales to EEA Retail Investors

The Notes are not intended to be offered, sold or otherwise made available to and should not be offered, sold or otherwise made available to any retail investor in the European Economic Area (the “EEA”). For these purposes, the expression “retail investor” means a person who is one (or more) of: (i) a retail client as defined in point (11) of Article 4(1) of Directive 2014/65/EU (as amended, “MiFID II”); (ii) a customer within the meaning of Directive (EU) 2016/97 (as amended, the “Insurance Distribution Directive”) where that customer would not qualify as a professional client as defined in point (10) of Article 4(1) of MiFID II; or (iii) not a qualified investor as defined in Regulation (EU) 2017/1129 (as amended, the “Prospectus Regulation”). Consequently, no key information document required by Regulation (EU) No 1286/2014 (as amended, the “PRIIPs Regulation”) for offering or selling the Notes or otherwise making them available to retail investors in the EEA has been prepared and therefore offering or selling the Notes or otherwise making them available to any retail investor in the EEA may be unlawful under PRIIPs Regulation.

Prohibition of Sales to United Kingdom Retail Investors

The Notes are not intended to be offered, sold or otherwise made available to and should not be offered, sold or otherwise made available to any retail investor in the United Kingdom (the “UK”). For these purposes, a retail investor means a person who is one (or more) of: (i) a retail client, as defined in point (8) of Article 2 of Regulation (EU) No 2017/565 as it forms part of domestic law by virtue of the European Union (Withdrawal) Act 2018 (the “EUWA”); (ii) a customer within the meaning of the provisions of the Financial Services and Markets Act 2000 (as amended, the “FSMA”) and any rules or regulations made under the FSMA to implement the Insurance Distribution Directive, where that customer would not qualify as a professional client, as defined in point (8) of Article 2(1) of Regulation (EU) No 600/2014 as it forms part of domestic law by virtue of the EUWA; or (iii) not a qualified investor as defined in Article 2 of the Prospectus Regulation as it forms part of domestic law by virtue of the EUWA (the “UK Prospectus Regulation”). Consequently, no key information document required by the PRIIPs Regulation as it forms part of domestic law by virtue of the EUWA (the “UK PRIIPs Regulation”) for offering or selling the Notes or otherwise making them available to retail investors in the United Kingdom has been prepared and therefore offering or selling the Notes or otherwise making them available to any retail investor in the United Kingdom may be unlawful under the UK PRIIPs Regulation.

Notice to Prospective Investors in the United Kingdom

This offering memorandum is only being distributed to, and is only directed at, persons in the United Kingdom that are “qualified investors” (as defined in the UK Prospectus Regulation) who are (i) investment professionals falling within Article 19(5) of the FSMA (Financial Promotion) Order 2005 (the “Order”) or (ii) high net worth entities, and other persons to whom it may lawfully be communicated, falling within Article 49(2)(a) of the Order (each such person being referred to as a “relevant person”). This offering memorandum and its contents are confidential and should not be distributed, published or reproduced (in whole or in part) or disclosed by recipients to any other persons in the United Kingdom. Any person in the United Kingdom that is not a relevant person should not act or rely on this document or any of its contents.

Notice to Prospective Investors in Switzerland

The offering of the Notes in Switzerland is exempt from the requirement to prepare and publish a prospectus under the Swiss Financial Services Act (“FinSA”) because the Notes have a minimum denomination of CHF 100,000 (or equivalent in another currency) or more and the Notes will not be admitted to trading on any trading venue (exchange or multilateral trading facility) in Switzerland. This offering memorandum does not constitute a prospectus pursuant to the FinSA, and no such prospectus has been or will be prepared for or in connection with the offering of the Notes.

Notice to Prospective Investors in Panama

The Notes have not been, and will not be, registered for public offering in Panama with the National Securities Commission of Panama under Decree-Law 1 of July 8, 1999, as reformed by Law 67 of 2011 (the “Panamanian Securities Act”). Accordingly, the Notes may not be offered or sold in Panama, except in certain limited transactions exempted from the registration requirements of the Panamanian Securities Act. The Notes do not benefit from tax incentives accorded by the Panamanian Securities Act, and are not subject to regulation or supervision by the National Securities Commission of Panama as long as the Notes are offered to no more than 25 persons domiciled in Panama and result in the sale to no more than 10 of such persons.

Notice to Prospective Investors in Peru

The Notes and the information contained in this offering memorandum are not being publicly marketed or offered in Peru and will not be distributed or caused to be distributed to the general public in Peru. Peruvian securities laws and regulations on public offerings will not be applicable to the offering of the Notes and therefore, the disclosure obligations set forth therein will not be applicable to the Issuer or the sellers of the Notes before or after their acquisition by prospective investors. The Notes and the information contained in this offering memorandum have not been and will not be reviewed, confirmed, approved or in any way submitted to the Peruvian National Supervisory Commission of Companies and Securities (*Comisión Nacional Supervisora de Empresas y Valores*) nor have they been registered under the Securities Market Law (*Ley del Mercado de Valores*) or any other Peruvian regulations. Accordingly, the Notes cannot be offered or sold within Peruvian territory except to the extent any such offering or sale qualifies as a private offering under Peruvian regulations and complies with the provisions on private offerings set forth therein.

Notice to Prospective Investors in Chile

Pursuant to Law No. 18,045 of Chile (the securities market law of Chile) and Rule (*Norma de Carácter General*) No. 336, dated June 27, 2012, issued by the Superintendency of Securities and Insurance of Chile (*Superintendencia de Valores y Seguros de Chile* (the “SVS”)), the Notes may be privately offered in Chile to certain “qualified investors” identified as such by Rule No. 336 (which are further described in Rule No. 216, dated June 12, 2008, of the SVS).

Rule No. 336 requires the following information to be provided to prospective investors in Chile:

1. Date of commencement of the offer: September 30, 2021. The offer of the Notes is subject Rule (*Norma de Carácter General*) No. 336, dated June 27, 2012, issued by the SVS;
2. The Notes and this offering memorandum are not registered with the Securities Registry (*Registro de Valores*) of the SVS, nor with the foreign securities registry (*Registro de Valores Extranjeros*) of the SVS and as such as not subject to the oversight of the SVS;

3. Since the Notes are not registered in Chile there is no obligation by the issuer to make publicly available information about the Notes in Chile; and

4. The Notes shall not be subject to public offering in Chile unless registered with the relevant Securities Registry of the SVS.

Información a los Inversionistas Chilenos

De conformidad con la ley No. 18.045, de mercado de valores y la Norma de Carácter General No. 336 (la “NCG 336”), de 27 de junio de 2012, de la Superintendencia de Valores y Seguros de Chile (la “SVS”), los bonos pueden ser ofrecidos privadamente a ciertos “inversionistas calificados,” a los que se refiere la NCG 336 y que se definen como tales en la Norma de Carácter General No. 216, de 12 de junio de 2008, de la SVS.

La siguiente información se proporciona a potenciales inversionistas de conformidad con la NCG 336:

1. *La oferta de los bonos comienza el 30 de septiembre de 2021, y se encuentra acogida a la NCG 336, de fecha 27 de junio de 2012, de la SVS;*

2. *La oferta versa sobre valores no inscritos en el Registro de Valores o en el Registro de Valores Extranjeros que lleva la SVS, por lo que tales valores no están sujetos a la fiscalización de esa Superintendencia;*

3. *Por tratarse de valores no inscritos en Chile no existe la obligación por parte del emisor de entregar en Chile información pública sobre los mismos; y*

4. *Estos valores no podrán ser objeto de oferta pública en Chile mientras no sean inscritos en el Registro de Valores correspondiente.*

Notice to Prospective Investors in Colombia

The Notes may not be offered, sold or negotiated in Colombia, except under circumstances which do not constitute a public offering of securities under applicable Colombian securities laws and regulations. Furthermore, foreign financial entities must abide by the terms of Decree No. 2555 of 2010 to offer privately the Notes to their Colombian clients.

Notice to Prospective Investors in Hong Kong

This offering memorandum has not been approved by or registered with the Securities and Futures Commission of Hong Kong or the Registrar of Companies of Hong Kong. The Notes will not be offered or sold in Hong Kong other than (a) to “professional investors” as defined in the Securities and Futures Ordinance (Cap. 571) of Hong Kong and any rules made under that Ordinance; or (b) in other circumstances which do not result in the document being a “prospectus” as defined in the Companies Ordinance (Cap. 32) of Hong Kong or which do not constitute an offer to the public within the meaning of that Ordinance. No advertisement, invitation or document relating to the Notes which is directed at, or the contents of which are likely to be accessed or read by, the public of Hong Kong (except if permitted to do so under the securities laws of Hong Kong) has been issued or will be issued in Hong Kong or elsewhere other than with respect to securities which are or are intended to be disposed of only to persons outside of Hong Kong or only to “professional investors” as defined in the Securities and Futures Ordinance and any rules made under that Ordinance.

Notice to Prospective Investors in Brazil

The Notes have not been and will not be issued nor publicly placed, distributed, offered or negotiated in the Brazilian capital markets. The issuance of the Notes has not been nor will be registered with the CVM. Any public offering or distribution, as defined under Brazilian laws and regulations, of the Notes in Brazil is not legal without prior registration under Law No. 6,385/76 and CVM Instruction No. 400. The Notes may not be offered or sold in Brazil. Documents relating to the offering of the Notes, as well as information contained therein, may not be supplied to the public in Brazil (as the offering of Notes is not a public offering of securities in Brazil), nor be used in connection with any offer for subscription or sale of the Notes to the public in Brazil.

Notice to Prospective Investors in Singapore

Each initial purchaser has acknowledged that this offering memorandum has not been registered as a prospectus with the Monetary Authority of Singapore. Accordingly, each initial purchaser has represented and agreed that it has not offered or sold any Notes or caused the Notes to be made the subject of an invitation for

subscription or purchase and will not offer or sell any Notes or cause the Notes to be made the subject of an invitation for subscription or purchase, and has not circulated or distributed, nor will it circulate or distribute, this offering memorandum or any other document or material in connection with the offer or sale, or invitation for subscription or purchase, of the Notes, whether directly or indirectly, to any person in Singapore other than:

- (a) to an institutional investor (as defined in Section 4A of the Securities and Futures Act (Chapter 289) of Singapore, as modified or amended from time to time (the “SFA”)) pursuant to Section 274 of the SFA;
- (b) to a relevant person (as defined in Section 275(2) of the SFA) pursuant to Section 275(1) of the SFA and in accordance with the conditions specified in Section 275 of the SFA; or
- (c) otherwise pursuant to, and in accordance with the conditions of, any other applicable provision of the SFA.

Where the Notes are subscribed or purchased under Section 275 of the SFA by a relevant person which is:

- (a) a corporation (which is not an accredited investor (as defined in Section 4A of the SFA)) the sole business of which is to hold investments and the entire share capital of which is owned by one or more individuals, each of whom is an accredited investor; or
- (b) a trust (where the trustee is not an accredited investor) whose sole purpose is to hold investments and each beneficiary of the trust is an individual who is an accredited investor, securities or securities-based derivatives contracts (each term as defined in Section 2(1) of the SFA) of that corporation or the beneficiaries’ rights and interest (howsoever described) in that trust shall not be transferred within six months after that corporation or that trust has acquired the Notes pursuant to an offer made under Section 275 of the SFA except:
 - (i) to an institutional investor or to a relevant person, or to any person arising from an offer referred to in Section 276(4)(i)(B) of the SFA;
 - (ii) where no consideration is or will be given for the transfer;
 - (iii) where the transfer is by operation of law;
 - (iv) as specified in Section 276(7) of the SFA; or
 - (v) as specified in Regulation 37A of the Securities and Futures (Offers of Investments) (Securities and Securities-based Derivatives Contracts) Regulations 2018.

Singapore Securities and Futures Act Product Classification - Solely for the purposes of its obligations pursuant to Sections 309(B)(1)(a) and 309(B)(1)(c) of the SFA, the Republic of Guatemala has determined, and hereby notifies all relevant persons (as defined in Section 309A of the SFA) that the Notes are “prescribed capital markets products” (as defined in the Securities and Futures (Capital Markets Products) Regulations 2018) and “Excluded Investment Products” (as defined in MAS Notice SFA 04-N12: Notice on the Sale of Investment Products and MAS Notice FAA-N16: Notice on Recommendations on Investment Products).

Notice to Prospective Investors in Guatemala

In the Republic, the Notes will comply with the rules of the Securities and Commodities Market Law (Decree No. 34-96) and its regulation (Governmental Accord 557-97). The Notes will not be registered for public offering with the Securities Market Registry (*Registro del Mercado de Valores y Mercancías*) of the Republic, and, accordingly, the Notes will not be offered or sold to any person in an open market, directly or indirectly by means of massive communication. The Notes may be offered or sold in a private offering without the intervention of a local third party or intermediary to (a) any individual person or entity that is considered an institutional investor, which includes (i) entities that are under the supervision of the Banking Regulator, (ii) the Social Security Institute of Guatemala (*Instituto de Seguridad Social –IGSS*), (iii) any private or public social welfare institutions or entities; (iv) any entity, mechanism or vehicle used for purposes of collective investment; and (b) up to 35 individual persons or entities.

Notice to Prospective Investors in Canada

The Notes may be sold only to purchasers purchasing, or deemed to be purchasing, as principal that are accredited investors, as defined in National Instrument 45-106 Prospectus Exemptions or subsection 73.3(1) of the

Securities Act (Ontario), and are permitted clients, as defined in National Instrument 31-103 Registration Requirements, Exemptions and Ongoing Registrant Obligations. Any resale of the Notes must be made in accordance with an exemption from, or in a transaction not subject to, the prospectus requirements of applicable securities laws.

Securities legislation in certain provinces or territories of Canada may provide a purchaser with remedies for rescission or damages if this offering memorandum (including any amendment thereto) contains a misrepresentation, provided that the remedies for rescission or damages are exercised by the purchaser within the time limit prescribed by the securities legislation of the purchaser's province or territory. The purchaser should refer to any applicable provisions of the securities legislation of the purchaser's province or territory for particulars of these rights or consult with a legal advisor.

Pursuant to section 3A.3 (or, in the case of securities issued or guaranteed by the government of a non-Canadian jurisdiction, section 3A.4) of National Instrument 33-105 Underwriting Conflicts (NI 33-105), the initial purchaser is not required to comply with the disclosure requirements of NI 33-105 regarding underwriter conflicts of interest in connection with this offering.

LEGAL MATTERS

The validity of the Notes will be passed upon on behalf of the Republic by QIL+4 Abogados, S.A., Guatemalan counsel to the Republic, and by Simpson Thacher & Bartlett LLP, U.S. counsel to the Republic. The validity of the Notes will be passed upon on behalf of the initial purchaser by Consortium Legal - Guatemala, Guatemalan counsel to the initial purchaser, and by Clifford Chance US LLP, U.S. counsel to the initial purchaser. As to all matters of Guatemalan law, Simpson Thacher & Bartlett LLP may rely on the opinion of QIL+4 Abogados, S.A, and Clifford Chance US LLP may rely upon the opinion of Consortium Legal - Guatemala.

OFFICIAL STATEMENTS

Information in this offering memorandum whose source is identified as a publication of the Republic or one of its agencies or instrumentalities relies on the authority of such publication as a public official document of the Republic. All other information and statements set forth herein are included as public official statements made on the authority of the Republic.

GENERAL INFORMATION

1. The issuance of the Notes was authorized pursuant to Decree No. 25-2018 of the Congress of the Republic.
2. Except as otherwise set forth herein, neither the Republic nor any governmental agency of the Republic is involved in any litigation or arbitration or administrative proceedings relating to claims or amounts which are material in the context of the issue of the Notes and which would materially and adversely affect the Republic's ability to meet its obligations under the Notes and the fiscal agency agreements and, so far as the Republic is aware, no such litigation or arbitration or administrative proceedings are pending or threatened.
3. Copies of the following documents shall be available during normal business hours on any weekday (excluding Saturdays, Sundays and public holidays) at the specified offices of the fiscal agent and each paying agent:
 - The fiscal agency agreements (including the forms of the Notes);
 - English translations of Decree No. 25-2018 referred to in paragraph 1 above;
 - The Republic's consolidated public sector fiscal accounts for 2020 and, as soon as available, each subsequent year; and
 - The Republic's budget for its next fiscal year, as soon as available after approval by Congress.
4. The Security identifiers for the 2033 Notes are:
 - a. CUSIP numbers:
 - i. Regulation S – P5015V AM8
 - ii. Rule 144A – 401494 AT6
 - b. ISINs:
 - i. Regulation S – USP5015VAM83
 - ii. Rule 144A – US401494AT67
5. The Security identifiers for the 2041 Notes are:
 - c. CUSIP numbers:
 - iii. Regulation S – P5015V AN6
 - iv. Rule 144A – 401494 AU3
 - d. ISINs:
 - v. Regulation S – USP5015VAN66
 - vi. Rule 144A – US401494AU31
6. Other than as disclosed in this offering memorandum, there has been no material adverse change in the financial condition of the Republic which is material in the context of the issue of the Notes since December 31, 2020.

**Republic of Guatemala: Global Public Sector External Debt
(As of December 31, 2020)**

Lender	Borrower	Issue Date (mm/dd/yyyy)	Interest Rate (as %)	Maturity Date (mm/dd/yyyy)	Outstanding Amount (in millions of US\$)
ACDI	GOCE	03/16/1976	0	09/30/2025	0.05
ACDI	GOCE	07/13/1977	0	03/31/2027	0.45
AID	GOCE	06/13/1983	3	12/27/2023	0.42
BBVA-ESPAÑA	GOCE	11/15/2012	4.85	06/25/2025	16.97
BCIE	GOCE	05/13/2003	5.88	05/13/2023	2.19
BCIE	GOCE	09/26/2007	5.9	09/26/2022	4.56
BCIE	GOCE	07/30/2008	5.9	07/25/2026	5.08
BCIE	GOCE	01/16/2006	5.9	01/25/2026	81.67
BCIE	GOCE	10/16/2008	5.9	10/14/2028	34.82
BCIE	GOCE	09/11/2009	5.9	11/27/2029	102.42
BCIE	GOCE	03/26/2010	5.9	03/26/2025	40.34
BCIE	GOCE	10/11/2011	5.9	10/25/2026	132.50
BCIE	GOCE	11/14/2012	5.9	04/25/2033	65.60
BCIE	GOCE	07/07/2014	3.02	11/28/2034	69.40
BCIE	GOCE	02/06/2015	2.79	02/06/2035	215.14
BCIE	GOCE	05/20/2020	3.21	05/15/2040	7.11
BCIE	GOCE	05/04/2020	2.97	12/22/2045	1.44
BCIE	INDE	12/09/2005	5.9	12/09/2025	11.51
BID	GOCE	03/14/1998	5.39	03/14/2023	6.28
BID	GOCE	09/18/1998	5.39	09/18/2028	4.73
BID	GOCE	03/14/1999	5.39	03/14/2029	8.23
BID	GOCE	01/22/1999	5.39	01/22/2029	13.01
BID	GOCE	10/18/1999	5.39	10/18/2029	31.14
BID	GOCE	02/11/2002	5.39	02/11/2027	1.96
BID	GOCE	02/11/2002	4.53	02/11/2022	1.97
BID	GOCE	02/11/2002	5.12	02/11/2032	24.80
BID	GOCE	07/03/2001	5.39	07/03/2026	37.50
BID	GOCE	09/17/2002	5.39	09/17/2027	1.69
BID	GOCE	12/12/2002	5.27	12/12/2027	1.19
BID	GOCE	12/12/2002	5.39	12/12/2022	0.07
BID	GOCE	09/17/2002	5.39	09/17/2022	26.67
BID	GOCE	06/02/2003	4.43	06/02/2028	17.03
BID	GOCE	11/03/2006	2.82	11/03/2031	19.00
BID	GOCE	09/23/2005	5.11	09/23/2030	17.12
BID	GOCE	02/03/2006	5.39	02/03/2031	52.50
BID	GOCE	05/18/2007	2.4	05/18/2032	6.32
BID	GOCE	10/23/2007	3.27	05/15/2032	19.44
BID	GOCE	08/24/2012	1.13	08/24/2037	17.03
BID	GOCE	06/06/2007	5.39	06/06/2027	43.33
BID	GOCE	12/10/2007	2.43	12/10/2032	18.43
BID	GOCE	04/05/2008	2.62	04/05/2033	31.61
BID	GOCE	04/05/2008	5.39	04/05/2038	34.86
BID	GOCE	04/05/2008	0.25	04/05/2048	12.20
BID	GOCE	04/05/2008	5.39	04/05/2028	19.50
BID	GOCE	12/14/2011	3.46	06/14/2032	21.16
BID	GOCE	02/25/2009	3.33	02/25/2029	226.67
BID	GOCE	02/25/2009	3.47	08/25/2033	100.05
BID	GOCE	02/25/2009	3.11	02/25/2029	76.23
BID	GOCE	02/25/2009	0.25	02/25/2039	12.20
BID	GOCE	02/25/2009	3.11	02/25/2039	36.85
BID	GOCE	04/21/2010	3.34	04/21/2035	39.49
BID	GOCE	02/25/2009	3.11	02/25/2034	5.32
BID	GOCE	04/21/2010	3.34	04/21/2035	13.82

Lender	Borrower	Issue Date (mm/dd/yyyy)	Interest Rate (as %)	Maturity Date (mm/dd/yyyy)	Outstanding Amount (in millions of US\$)
BID	GOCE	12/14/2011	0.25	12/14/2051	4.22
BID	GOCE	12/14/2011	3.16	12/14/2041	14.75
BID	GOCE	11/08/2012	0.25	11/08/2052	7.92
BID	GOCE	11/08/2012	3.44	11/08/2042	29.31
BID	GOCE	11/14/2012	0.25	11/14/2052	5.35
BID	GOCE	11/14/2012	3.65	11/14/2042	19.27
BID	GOCE	10/06/2011	1.61	10/06/2031	156.35
BID	GOCE	10/06/2011	0.25	10/06/2051	7.36
BID	GOCE	10/06/2011	3.8	10/06/2041	25.23
BID	GOCE	12/11/2013	1.4	11/15/2033	62.40
BID	GOCE	12/11/2013	0.25	12/11/2053	32.40
BID	GOCE	12/11/2013	4.7	12/11/2043	121.67
BID	GOCE	12/11/2013	0.25	12/11/2053	0.61
BID	GOCE	12/11/2013	4.01	12/11/2043	2.30
BID	GOCE	01/28/2015	1.4	11/15/2034	91.00
BID	GOCE	01/28/2015	0.25	11/15/2054	30.50
BID	GOCE	01/28/2015	3.84	11/15/2044	119.51
BID	GOCE	05/10/2018	1.56	10/15/2042	52.95
BID	GOCE	04/02/2020	1.12	03/15/2040	250.00
BID	GOCE	04/23/2020	3.81	04/15/2045	5.40
BID	GOCE	04/23/2020	3.81	04/15/2044	5.09
BID	GOCE	04/23/2020	3.51	04/15/2044	1.93
BID	GOCE	02/18/1981	2	02/18/2021	0.42
BID	GOCE	06/12/1981	2	05/24/2021	0.43
BID	GOCE	04/27/1982	2.08	04/24/2022	0.73
BID	GOCE	04/27/1982	2	04/24/2022	1.10
BID	GOCE	03/20/1983	2	03/24/2023	0.81
BID	GOCE	03/20/1983	2	03/24/2023	1.45
BID	GOCE	09/06/1983	2	09/06/2023	1.51
BID	GOCE	05/24/1984	2	05/24/2024	0.85
BID	GOCE	03/05/1987	2	03/06/2027	2.73
BID	GOCE	03/05/1987	2	03/06/2027	5.40
BID	GOCE	09/30/1996	5.39	09/30/2021	0.08
BID	GOCE	10/02/1991	2	10/02/2031	12.03
BID	GOCE	12/07/1992	2	11/24/2032	5.79
BID	GOCE	02/03/1993	2	02/03/2033	17.36
BID	GOCE	03/14/1998	2	03/14/2038	5.92
BID	GOCE	01/25/1994	2	01/25/2034	18.00
BID	GOCE	12/30/1996	5.39	12/16/2026	10.36
BID	GOCE	01/21/1997	5.39	01/21/2027	4.57
BID	GOCE	09/10/1997	5.39	09/10/2022	0.64
BID	GOCE	09/10/1997	5.39	09/10/2022	1.60
BID	GOCE	01/21/1997	2	01/21/2037	16.61
BID	INDE	09/17/2002	2	06/15/2037	6.12
BID	INDE	09/17/2002	3.16	06/15/2027	12.23
BID	INDE	09/17/2002	3.73	09/17/2027	0.60
BID	INDE	09/27/1984	2	09/24/2024	2.20
BIRF	GOCE	01/05/2006	5.4	05/15/2025	24.94
BIRF	GOCE	05/18/2007	1.18	11/15/2022	7.97
BIRF	GOCE	10/22/2007	1.68	11/15/2023	7.93
BIRF	GOCE	05/18/2007	6.25	06/15/2026	30.50
BIRF	GOCE	02/26/2008	1.63	09/15/2022	11.10
BIRF	GOCE	04/12/2008	1.88	09/15/2022	17.17
BIRF	GOCE	05/22/2008	5	05/15/2027	36.06
BIRF	GOCE	03/06/2009	3.25	03/15/2033	11.15
BIRF	GOCE	03/06/2009	4.18	11/15/2034	155.52
BIRF	GOCE	06/01/2010	4.77	05/15/2034	76.51
BIRF	GOCE	12/07/2009	5.27	11/15/2035	291.62

Lender	Borrower	Issue Date (mm/dd/yyyy)	Interest Rate (as %)	Maturity Date (mm/dd/yyyy)	Outstanding Amount (in millions of US\$)
BIRF	GOCE	12/16/2011	3.42	02/15/2037	91.63
BIRF	GOCE	11/29/2012	3.38	10/15/2035	4.50
BIRF	GOCE	11/13/2013	4.59	09/15/2037	200.00
BIRF	GOCE	01/19/2015	3.21	03/15/2039	340.00
BIRF	GOCE	07/10/2018	4.38	09/15/2036	250.00
BIRF	GOCE	05/15/2019	3.04	09/15/2050	1.53
BIRF	GOCE	04/14/2020	1.88	09/15/2045	200.00
BNDES-BRASIL	GOCE	02/22/2013	4.94	10/15/2028	111.85
C.C.C.	GOCE	07/08/1998	4	12/24/2022	0.44
C.C.C.	GOCE	08/13/1999	2.5	01/25/2024	1.79
GLOBAL BONDS	GOCE	05/31/2019	4.9	06/01/2030	500.00
GLOBAL BONDS	GOCE	04/24/2020	5.38	04/24/2032	500.00
GLOBAL BONDS	GOCE	05/03/2016	4.5	05/03/2026	700.00
GLOBAL BONDS	GOCE	10/06/2004	8.13	10/06/2034	330.00
GLOBAL BONDS	GOCE	05/31/2019	6.13	06/01/2050	700.00
GLOBAL BONDS	GOCE	12/01/2019	6.13	06/01/2050	700.00
GLOBAL BONDS	GOCE	02/13/2013	4.88	02/13/2028	700.00
GLOBAL BONDS	GOCE	06/06/2012	5.75	06/06/2022	700.00
GLOBAL BONDS	GOCE	06/05/2017	4.38	06/05/2027	500.00
EXIM-CHINA	GOCE	11/12/2015	1.98	03/22/2047	50.00
FIDA	GOCE	06/12/2008	0.89	02/15/2025	0.92
FIDA	GOCE	12/13/2011	1.89	02/15/2027	1.41
ICDF	GOCE	06/22/1999	2	01/15/2024	0.60
ICDF	GOCE	08/09/2002	3.5	02/15/2022	0.81
JICA	EMPAGUA	06/16/1992	2.7	06/20/2022	3.17
JICA	GOCE	12/27/1995	3	12/20/2025	7.01
JICA	GOCE	09/30/1999	1.48	09/20/2039	26.42
JICA	GOCE	02/20/2006	0.75	02/20/2046	59.67
JICA	GOCE	11/06/2012	0.94	11/20/2037	69.47
KFW	GOCE	04/27/1995	0.75	06/30/2045	5.78
KFW	GOCE	04/27/1995	0.75	06/30/2035	4.55
KFW	GOCE	08/30/1995	0.75	12/30/2045	2.89
KFW	GOCE	12/03/1986	0.75	12/31/2036	5.02
KFW	GOCE	09/29/1987	0.75	06/30/2037	5.18
KFW	GOCE	06/13/1988	0.75	06/30/2038	2.75
KFW	GOCE	06/13/1988	0.75	06/30/2038	2.75
KFW	GOCE	12/15/1988	0.75	12/30/2038	1.42
KFW	GOCE	09/11/1990	0.75	12/31/2040	4.04
KFW	GOCE	06/30/2005	0.75	06/30/2045	3.55
KFW	GOCE	01/22/1998	0.75	12/30/2048	8.53
KFW	GOCE	12/23/1992	0.75	12/30/2042	0.69
KFW	GOCE	10/18/2016	2.09	12/30/2036	5.48
KFW	GOCE	08/13/2002	0.75	12/30/2052	4.86
OPEP	GOCE	09/06/2007	2.5	03/15/2027	1.56
OPEP	GOCE	04/12/2008	2.75	10/15/2027	2.01
OPEP	GOCE	12/19/2011	3.4	07/15/2031	0.78
UBS	GOCE	07/26/2006	3.38	12/31/2023	0.12

Defined terms for Appendix A:

ACDI	=	Canadian International Development Agency
AID	=	United States Agency for International Development
BBVA-ESPAÑA	=	Banco Bilbao Vizcaya Argentaria, S.A.—Spain
BCIE	=	Central American Bank of Economic Integration
BID	=	Inter-American Development Bank
BIRF	=	International Bank for Reconstruction and Development
BNDES-BRAZIL	=	Brazilian Development Bank
C.C.C.	=	Commodity Credit Corporation
EMPAGUA	=	<i>Empresa Municipal de Agua</i>
EXIM-CHINA	=	Export Import Bank of the Republic of China
FIDA	=	International Fund for Agricultural Development
GOCE	=	<i>Gobierno Central</i>
ICDF	=	International Cooperation and Development Fund—Republic of China, Taiwan
INDE	=	<i>Instituto Nacional de Electrificación</i>
JICA	=	Japanese International Cooperation Agency
KFW	=	<i>Kreditanstalt für Wiederaufbau</i>
OPEP	=	Organization of Petroleum Exporting Countries
UBS	=	Union Bank of Switzerland

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