

WESTERN HEMISPHERE **ANTI-CORRUPTION** INDEX

February 2022



**JOHN
JAY**
COLLEGE
OF CRIMINAL
JUSTICE

**CU
NY** THE CITY
UNIVERSITY
OF NEW YORK

WESTERN HEMISPHERE **ANTI-CORRUPTION** INDEX

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INTRODUCTION TO THE WESTERN HEMISPHERE ANTICORRUPTION INDEX (WHACI)

01. Introduction to the Western Hemisphere Anticorruption Index (WHACI)

The Western Hemisphere Anticorruption Index (WHACI) represents a new generation of anticorruption research that focuses on interactive, visually represented data that users can actively engage with.

The two main components—the *Convention Implementation Score* (CIS) and *Corruption Resilience Score* (CRS)—provide an empirical analysis of major anticorruption Conventions and corruption resilience across countries in the Western Hemisphere to craft a comprehensive map of policy areas requiring reform. Based on primary and secondary sources, country profiles outline the complex nature of anticorruption efforts on national and regional scales, and piece together the comprehensive assessment to establish a new benchmark for understanding government resilience to corruption risks and the quality of anticorruption responses.

WHACI provides actionable indicators of the implementation of anticorruption conventions relevant for the Western Hemisphere region, namely the United Nations Convention against Corruption (UNCAC), the Inter-American Convention against Corruption (IACAC), and the OECD Anti-Bribery Convention (OECD-ABC) and offers guidance on how to strengthen anticorruption action in the region. These measures extend beyond the scope of existing assessments to offer a complete picture of country-specific efforts in the adoption, enforcement, and design of anticorruption initiatives, which are supplemented by broad evaluations of prevention efforts, criminalization and law enforcement, and international cooperation. The strengths and weaknesses underpinning the resilience of governments to corruption are assessed and illustrated in a parallel component.

WHACI is an independent assessment of the quality of implementation of anticorruption conventions and resilience to corruption in 31 countries in the Caribbean, Central America, and South America.

- Antigua and Barbuda
- Argentina
- Bahamas, the
- Belize
- Bolivia
- Brazil
- Chile
- Colombia
- Costa Rica
- Cuba
- Dominican Republic
- Dominica
- Ecuador
- El Salvador
- Grenada
- Guatemala
- Guyana
- Haiti
- Honduras
- Jamaica
- Mexico
- Nicaragua
- Panama
- Paraguay
- Peru
- Saint Lucia
- Saint Vincent and Grenadines
- Suriname
- Trinidad and Tobago
- Uruguay
- Venezuela

WHACI consists of two major components—the *Convention Implementation Score* (CIS) and the *Corruption Resilience Score* (CRS)—which offer a detailed quantitative assessment of regional and national anticorruption efforts. Both CIS and CRS are displayed as scoring ranges from 0 to 100 with higher scores representing better anticorruption performance.

CIS empirically analyzes the quality of the implementation of international and regional anti-corruption conventions in the Western Hemisphere, which encompass the 1996 Inter-American Convention against Corruption (IACAC), the 1997 OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-Bribery Convention), and the 2003 United Nations Convention against Corruption (UNCAC). The CIS score was compiled using original data which was collected through the coding of review documents produced by governments, often in collaboration with civil society organizations. The review documents were collected from the Follow-Up Mechanism for the Implementation of IACAC called MESICIC, UNCAC's Implementation Review Mechanism (IRM), and the OECD Anti-Bribery Convention Monitoring Mechanism (OECD-MM). The extent of the States Parties' implementation efforts was assessed across three dimensions (adoption, design, enforcement) and eight indicators (effort, creation, scope, features, mechanisms, intensity, integrity, and resources) which were then scored and calculated using a weighted average based on the findings of the review documents for the IRM, MESICIC, and OECD-MM.

CRS provides a general quantitative assessment of national and regional resilience to the risks posed by corruption in the Western Hemisphere. The score combines five indicators (social context, quality of government, business stability, the rule of law, and security and violence) into a single score to determine and illustrate state capacities for resilience against corruption in 31 countries across the region. Each indicator consists of several major components (aggregated secondary data) which were collected from the World Bank, Transparency International, the Economist Intelligence Unit, Freedom House, The World Justice Project, etc. The period covered by the CRS ranges 10 years between 2010 and 2020.

WHACI is the first-ever index to provide comprehensive insights of the implementation of anticorruption conventions that was tailored and developed for the use of stakeholders, including governments, civil society, academia, and the private sector. The innovative tool allows users to comparatively identify gaps in the adoption, design, and enforcement of measures recommended by the anticorruption conventions, as well as the country-specific conditions which influence their performance. The comparative nature of WHACI's design allows users to identify best practices and limitations on national and regional scales which illustrate a comprehensive overview of priority areas for reform and encourages concrete action against corruption.

The independent, objective, evidence-based and actionable data offered by WHACI is anticipated to help policymakers and activists understand the strengths and weaknesses of national integrity systems in the Western Hemisphere, better allocate resources to anticorruption purposes, and more effectively and efficiently target specific challenges. WHACI is offered to users in the form of a traditional report, which can be downloaded for free. It is also presented as an online dashboard which allows to view interactive charts, compare data, and download data files. By sharing this data with the wider anticorruption community, WHACI aims to not only inform policy, immediately promoting the implementation of international anticorruption standards and their enforcement, but also advance anticorruption research. The original methodology developed for WHACI is anticipated to enhance the capacity of countries to measure the level and quality of compliance and enforcement of international anticorruption treaties along with corruption risks and effects of anticorruption interventions.



KEY FINDINGS

02. Key Findings

No country is fully immune to corruption.

Across the Western Hemisphere, over a third of the countries assessed by WHACI (36.83%) have fulfilled their commitment to the anticorruption conventions, while 36.62% are in the process of working toward convention commitments and developing capacities. 17.23% face deficits in the design and/or enforcement of Convention provisions within national frameworks, and the remaining 9.31% have failed to implement Convention-related measures—stunting their ability to advance anticorruption goals.

No country has achieved the full implementation of anticorruption conventions, particularly in the adoption, criminalization, and enforcement of anticorruption provisions.

While some of the examined countries have successfully met and integrated convention-related obligations, none have fulfilled all dimensions of implementation (adoption, design, and enforcement) and thematic dimensions (prevention, criminalization and law enforcement, and international cooperation).

Nearly all examined countries face deficiencies in implementing preventive measures, measures to deter domestic and foreign bribery, and measures to promote the engagement of civil society.

WHACI reveals deficits that highlight problem areas within the proper management of public affairs and public property, oversight bodies, and systems for registering income. Significant limitations are also identified across integrity systems, in maintaining transparency and accountability, and within mechanisms to encourage the participation of civil society organizations in anticorruption efforts.

Countries lack statistical data, sufficient statistical infrastructure, and incentives to report data consistently.

Most countries do not publish national statistics on corruption enforcement, prefer not to publicize judgements or information on non-trial resolutions, and have limited incentives and/or capacity to improve reporting. This gap makes it difficult to assess the progress of anticorruption measures and their efficiency in a country-specific context.

Across the Western Hemisphere, whistleblowers have limited protections.

Whistleblowing is one of the most effective ways to expose, fight and mitigate corruption, yet the trend among WHACI countries reveals inadequate legal protections to shield whistleblowers from retaliation and encourage their disclosures. This highlights a need to improve legal protections and secure safe channels for the reporting of offenses on a regional level.

Preventing and controlling corruption in the private sector hinges on the development of accounting standards and the criminalization of bribery.

Some countries struggle to balance the confidentiality of information handled by accounting professionals and the obligation to report illicit activities discovered during their duties. Several countries do not explicitly require the use of licensed professionals in handling an organization's financial records. Similarly, efforts to criminalize bribery in the private sector are lacking, partially reflecting the gap in IACAC to address the issue. The reform agenda only grew to encompass such policies with the adoption of the UNCAC and therefore, it remains a priority area for action.

More developed countries generally achieve higher scores in the implementation of anticorruption conventions.

The WHACI analysis reveals a positive, albeit weak, relationship between the implementation of anticorruption conventions and GDP per capita. It can thus be assumed that the more robust of an economy, the more advanced it is in the implementation of anticorruption convention.

Respect for political and civil rights, guarantees of media freedom, and the rule of law build stronger resilience to corruption.

WHACI confirms that countries which provide adequate political and civil rights, and respect guarantees of open communication through various forms of media, experience lower levels of corruption. Similarly, countries with a strong rule of law develop capacities that are less permeable to corruption and generally have greater control over its influence.

Countries with higher levels of organized crime lag behind their regional counterparts in the implementation of anticorruption conventions.

Results generated by the WHACI analysis illustrate the detrimental impact of organized crime on the implementation of anticorruption conventions among countries in the Western Hemisphere, which culminate in the understanding that lower levels of criminal activity (e.g., drug trafficking, trafficking in persons, wildlife crime, money laundering, etc.) create an environment that is more conducive to the successful implementation of anticorruption conventions.

The relationship between the implementation of anticorruption conventions and countries' control of corruption is more complex than it seems.

At face value, the assumption that greater implementation of anticorruption conventions will enhance controls of corruption is straight forward. However, the WHACI analysis reveals that the relationship is rather inverted—greater implementation does not always equate to better control of corruption. The empirical detection of discrepancies in national frameworks, the creation of measures to remedy them, and the time it takes to see their impact is an exceptionally slow process.



PRIMER ON ANTICORRUPTION

03. Primer on Anticorruption Conventions

The Scourge of Corruption

Corruption has serious and far-reaching consequences which appear in many different forms, yet regardless of how corrupt practices present, the poorest communities pay the steepest price. Often, this occurs when corrupt practices cause surges in the cost of basic services and then reduce or limit their accessibility. In many cases, attaining health services requires unofficial and out-of-pocket payments, causing a financial burden which exacerbates inequality among low-income communities.

When corruption permeates supply chains, the higher costs of medical supplies encourage the widespread use of hazardous counterfeits as cheap alternatives—leading to irreversible social harms. Corruption may also take the form of routine bribes in exchange for government services, unfairly allocated government contracts, or may be evidenced by state capture. Regardless of the form it takes, corrupt practices cause funds to bypass state budgets, reduce investments in human capital and stunt job growth. In many cases, this weakens trust between local populations and their governments, fractures the social contract, and propels conditions conducive to state fragility. The corrosive effects of corruption can also be seen through economic loss and inefficiency, organized crime, and human rights violations. The severity of these issues emphasizes the need to tackle and control corruption on a global scale.

There are numerous commonalities across countries and institutions that remain free of corrupt practices, chief among these is the interplay between good governance and its influence on the wellbeing of its citizens. Effective institutions implement policies that ensure the accessibility of public services, and

this encompasses emergency services, health-care, education, and law enforcement, among other core services. In most instances, these public services are fully and freely accessible, but this is not always the norm. In countries where corruption is commonplace, citizens are forced to pay facilitation payments or bribes to access otherwise basic services. This cyclical relationship between good governance and corruption relies on secure frameworks which support effective institutions—without these firmly in place, the window of opportunity for corrupt practices remains wide open. Conversely, efforts to introduce transparency and accountability can be undermined entirely if corruption is the “only game in town.”

Corruption remains a serious problem for many countries in the Western Hemisphere. In Latin America and the Caribbean, cases of corruption constantly cycle through news broadcasts. In the last few years alone, several high-profile cases have sent shockwaves through the region. From Brazil’s *Lava Jato* scandal to the expulsion by the Guatemalan government of the United Nations-backed anticorruption body, CICIG, corruption has been under scandalous scrutiny. Corruption cases associated with the COVID-19 pandemic only amplified public sensitivity to corruption, further mobilizing anticorruption action.

Minimizing the corrosive impact of corruption on societies in the Western Hemisphere is an enormous challenge that cannot be achieved overnight. However, progress is starting to take root. Popular anticorruption movements, in countries like Honduras, have combined with a number of guilty verdicts for high-profile politicians and businesspeople. This wind of change has given people hope after decades of anticorruption silence. It is in this spirit that the Western Hemisphere Anticorruption Index (WHACI) aims to serve governments and civil society, among other stakeholders, in their attempts to advance anticorruption action.

Understanding the Challenge: What is Corruption?

While there may be a general understanding of the term “corruption,” there is no universally accepted definition of the term. Instead, there are various definitions of corruption which are used, ranging from a broader categorization of what corruption entails to more detailed definitions which fit into the purpose of an institution or project that define it.

The United Nations Convention Against Corruption (UNCAC), the Inter-American Convention Against Corruption (IACAC), and the OECD Convention on Combating Bribery of Foreign Public Officials in

International Business Transactions (OECD Anti-Bribery Convention or OECD-ABC), which are the most pertinent legal instruments against corruption in the Western Hemisphere, do not define corruption per se. What they do is criminalize a range of corrupt practices. These include various kinds of bribery and other types of corruption, such as embezzlement, trading in influence, abuse of functions, to name a few. The table below illustrates these international legal instruments, alongside the different ways they criminalize corrupt behaviors.

TABLE 3.1

COMPARATIVE ANALYSIS OF CRIMINALIZATION OF CORRUPTION ACROSS UNCAC, IACAC, AND OECD-ABC

	UNCAC	IACAC	OECD ANTI-BRIBERY CONVENTION
BRIBERY OF NATIONAL PUBLIC OFFICIAL	Active and passive bribery of national public officials (Art. 15 a and b) <i>(mandatory)</i>	Acts of corruption (active and passive bribery) (Art. VI (1a) and (1b)) <i>(mandatory)</i>	N/A
BRIBERY OF FOREIGN OFFICIAL	Active bribery of a foreign and international public official (Art. 16 (1)) <i>(mandatory)</i> Passive bribery of foreign and international public officials (Art. 16 (2)) <i>(optional)</i>	Transnational bribery (active bribery of foreign official) (Art. VIII) <i>(mandatory)</i>	Active bribery of a foreign and international public official (Art. 1 (1)) <i>(mandatory)</i>
BRIBERY IN THE PRIVATE SECTOR	Active and passive bribery in the private sector (Art. 21) <i>(optional)</i>	N/A	N/A
EMBEZZLEMENT	Embezzlement, misappropriation, or other diversion of property by a public official (Art. 17) <i>(mandatory)</i> Embezzlement of property in the private sector (Art. 22) <i>(optional)</i>	Abuse of property (Art. XI - 1d) <i>(optional)</i>	N/A
TRADING IN INFLUENCE	Trading in influence (Art. 18) <i>(optional)</i>	Trading in influence (Art. XI - 1c) <i>(optional)</i>	N/A
ABUSE OF FUNCTIONS	Abuse of functions (Art. 19) <i>(optional)</i>	Acts of corruption (Art. VI - 1c) <i>(mandatory)</i>	N/A
ILLICIT ENRICHMENT	Illicit enrichment (Art. 20) <i>(optional)</i>	Illicit enrichment (Art. IX) <i>(optional)</i>	N/A
MONEY LAUNDERING, CONCEALMENT, AND ACCOUNTING OFFENSES	Laundering of proceeds of crime (Art. 23) <i>(mandatory)</i> Concealment (Art. 24) <i>(optional)</i>	Money laundering (Art. VI - 1d) <i>(mandatory)</i>	Money laundering with bribery of a foreign public official (Art. 7) <i>(mandatory)</i> Accounting offenses for the purpose of bribing foreign public officials or of hiding such bribery (Art. 8) <i>(mandatory)</i>
PREPARATION, PARTICIPATION, AND ATTEMPT	Participation and attempt (Art. 27 (1)) <i>(mandatory)</i> Preparation for an offence (Art. 27 (3)) <i>(optional)</i>	Participation and attempt (Art. XI - 1e) <i>(mandatory)</i>	Participation and attempt (Art. 1 (2)) <i>(mandatory)</i>

It is very common to use the term bribery interchangeably with corruption. Its treatment in the conventions is worthy of further note. The bribery offense, as criminalized in UNCAC, IACAC, and the OECD-ABC, may be divided into two types—active and passive. The three conventions differ on the criminalization of active and passive bribery. Whereas UNCAC criminalizes both active and passive bribery of national public officials and active bribery of a foreign and international public official, making the criminalization of such conduct mandatory for all States Parties, it leaves the criminalization of the passive bribery of foreign and international public officials and active and passive bribery in the private sector to the discretion of States Parties. In contrast, IACAC criminalizes fewer mandated offenses, chief among these is the active and passive bribery of national public officials under Article 6, and the active bribery of foreign and international public officials described within Article 8. IACAC lists fewer optional corruption offenses than either the OECD Convention or UNCAC, limiting the description of possible offenses to the act of illicit enrichment. The OECD-ABC centers on the active bribery of foreign and international public officials, mandating all State Parties to the Convention to criminalize it.

TABLE 3.2

CRIMINALIZATION OF BRIBERY OF NATIONAL PUBLIC OFFICIALS

	ACTIVE BRIBERY OFFERING, PROMISING, OR GIVING A BRIBE TO A NATIONAL PUBLIC OFFICIAL	PASSIVE BRIBERY REQUESTING, SOLICITING, RECEIVING, OR ACCEPTING A BRIBE BY A NATIONAL PUBLIC OFFICIAL
UNCAC	Art. 15 (a): Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally: (a) The promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.	Art. 15 (b): Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally: (b) The solicitation or acceptance by a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.
IACAC	Art. 6 – 1b: This Convention is applicable to the following acts of corruption: (b) The offering or granting, directly or indirectly, to a government official or a person who performs public functions, of any article of monetary value, or other benefit, such as a gift, favor, promise or advantage for himself or for another person or entity, in exchange for any act or omission in the performance of his public functions.	Art. 6 – 1a: This Convention is applicable to the following acts of corruption: (a) The solicitation or acceptance, directly or indirectly, by a government official or a person who performs public functions, of any article of monetary value, or other benefit, such as a gift, favor, promise or advantage for himself or for another person or entity, in exchange for any act or omission in the performance of his public functions.
OECD-ABC	Not covered	Not covered

While legal definitions of corruption are elusive, scholars, policymakers, and anticorruption advocacy groups have frequently relied on one general but widely accepted definition of corruption to refer to the entire array of corrupt offenses—“the use of public office for private gain.” This definition can be a useful reference for policy development and awareness-raising, as well as for elaborating anticorruption strategies, action plans and corruption prevention measures. Apart from this general policy definition, there are as many different definitions of corruption as there are manifestations of the problem itself. These definitions vary according to cultural, legal, or other factors.

“Corruption—the abuse of public office for private gain—covers a wide range of behavior, from bribery to theft of public funds.”

THE WORLD BANK

“Corruption involves behavior on the part of officials in the public and private sectors, in which they improperly and unlawfully enrich themselves, and/or those close to them, or induce others to do so, by misusing the position in which they are placed”

THE ASIAN DEVELOPMENT BANK

“Corruption is the abuse of entrusted power for private gain.”

TRANSPARENCY INTERNATIONAL

Is Implementation of Conventions the Answer to Corruption?

Successful compliance with international anticorruption conventions can propel critically important legislative and institutional changes, and these in turn, can prompt governments to prioritize efforts to prevent, investigate, and prosecute corruption. Many countries have benefitted from the positive developments in legislation and policymaking that were initiated as the result of—or in the context of—the implementation of anticorruption conventions. Beyond simply limiting opportunities for corruption, structural and legislative reforms resulting from compliance help to synchronize anticorruption action at the regional and global levels.

Despite these strengths and hopeful promises, the implementation of anticorruption conventions has been hindered by a few challenges. For one, some States may utilize their ratification of anticorruption conventions to invite donor support or to win against political opponents. To keep such conduct in check, review mechanisms accompany anticorruption conventions. They all involve to some degree a combination of monitoring methods, including self-assessments, expert reviews, peer reviews, country visits and the publication of a report with recommendations for enhancement. They provide avenues for promoting dialogue and discussions with countries under review in order to stimulate efficient and progressive implementation of conventions. Importantly, when follow-up on recommendations produced during the review process are in place, the implementation of respective conventions can also be evaluated by tracking changes in the status of recommendations implementation in successive country reports.

The review mechanisms have already proven useful in motivating governments to comply with reporting deadlines, applying peer and public pressure on governments to meet their anti-corruption commitments, and often allowing civil society to assess government performance against corruption.¹

A brief comparative assessment of UNCAC, IACAC, and OECD-ABC, along with their review mechanisms, is offered below. The review of implementation of conventions, particularly those that come with follow-up mechanisms to assess progress made on the review recommendations, such as for

the IACAC and OECD are essential to promote actual changes against corruption.

United Nations Convention against Corruption (UNCAC)

UNCAC is the most comprehensive responses to the global problem of corruption. It is also the only nearly universal, legally binding anticorruption instrument. UNCAC was adopted by the UN General Assembly in October 2003, and two years later, it formally entered into force in December 2005. Nearly sixteen years later, 189² countries have ratified the international treaty.³

FIGURE 3.1
UNCAC MAP



The Convention covers five main areas: preventive measures, criminalization and law enforcement, international cooperation, asset recovery, and technical assistance and information exchange. It

¹ Marie Chêne and Gillian Dell, "Comparative Assessment of Anti-Corruption Conventions' Review Mechanisms," U4 Helpdesk Answer (Bergen: U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute, April 15, 2008), <https://www.u4.no/publications/comparative-assessment-of-anti-corruption-conventions-review-mechanisms>.

² Ratification status as of December 11, 2021. Available at <https://treaties.un.org/>.

³ For simplicity, the term "ratified" includes accession, acceptance and approval in this context.

includes the largest assortment of corruption-related offenses, criminalizing the active and passive bribery of public officials (both domestic and foreign), the abuse of functions, bribery in the private sector, laundering proceeds of crime, obstruction of justice, embezzlement, concealment, and trading in influence.

Beyond simply criminalizing corrupt practices and offenses, UNCAC also aims to improve global responses to corruption by including measures to facilitate international cooperation, technical assistance, asset recovery, and the exchange of information between States. Another major strength of the Convention is that it offers legal innovation in the recovery of stolen public assets. UNCAC (art. 53) provides for direct recovery of assets, whereby a foreign State can initiate a civil action in a foreign jurisdiction to establish title and ownership of property. It also means that courts should be able to order compensation or damages to a foreign State. According to some commentators, Chapter V covering asset recovery was the main “selling point” of the Convention, and the reason why so many developing countries were supporting of it.⁴

Implementation Review Mechanism (IRM)

The Implementation Review Mechanism (IRM) is a peer review process supplementing UNCAC. It aims to assist States Parties in effectively implementing the convention based on conditions of equality among the States, transparency, inclusiveness, and impartiality. It promotes the purposes of the Convention, renders the Conference of the States Parties (CoSP) with detailed information on measures implemented by States Parties in implementing the Convention, and the difficulties that resulted. It also helps States Parties to identify specific needs for technical assistance, exchange best practices, and promote and facilitate the provision of such assistance.⁵

Specific guidelines on how the review mechanism should be conducted is found in the UNDOC's *Mechanism for the Review of Implementation of the United Nations Convention against Corruption*.⁶ According to the document, each State Party is reviewed by two peers: one peer is selected from the same regional group at the beginning of each year of the review cycle, and the other peer is selected from another regional group. The drawing of lots determines the timing of State review and when the State will partake in the review of other States Parties.

The review process comes in two five-year cycles:

- **2010-2015:** The first cycle covers Chapter III “Criminalization and Law Enforcement” and Chapter IV “International Cooperation”
- **2015-2020/2024:** The second cycle (initially 2015–2020) covers Chapter II “Preventive Measures” and Chapter V “Asset Recovery.” Due to significant delays in the review process, the CoSP decided to extend the duration of the second cycle of review to June 2024.

Each State Party participating in the review process must complete a comprehensive self-assessment checklist which is used to evaluate a country's progress in the implementation of UNCAC. A desk review of the response to the self-assessment checklist is carried out by the two reviewing States. The desk review commonly includes an analysis of the response based on measures taken to implement the Convention and on successes in and challenges that resulted from the implementation. The reviewing States can request the State under review to render clarifications, additional information or to address supplementary questions related to the review. In addition to the desk review, if agreed by the State Party under review, the review process can be complemented with any further means of direct dialogue, such as a country visit or a joint meeting at the United Nations Office on Drugs and Crime (UNODC) in Vienna, Austria.

4 Hannes Hechler, “UNCAC in a Nutshell,” U4 Brief (Bergen: U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute, 2017), <https://www.u4.no/publications/uncac-in-a-nutshell-2017>.

5 See the official website of IRM at <https://www.unodc.org/unodc/en/corruption/implementation-review-mechanism.html>.

6 The document is available at https://www.unodc.org/documents/treaties/UNCAC/Publications/ReviewMechanism-BasicDocuments/Mechanism_for_the_Review_of_Implementation_-_Basic_Documents_-_E.pdf.

At the end of their evaluations, the reviewing States Parties prepare a country review report, including an executive summary of the report, in close cooperation and coordination with the State Party under review and assisted by the Secretariat. The report needs to identify successes, good practices and challenges and make observations for the implementation of the Convention. Whereas the country report is to remain confidential, unless the State Party under review agrees otherwise, the executive summary is translated into the six official languages of the United Nations and made available to the public.⁷ The IRM includes a follow-up process which was established with the aim to facilitate understanding on whether a State Party has achieved any progress in connection with the observations contained in its previous country review reports.

Inter-American Convention Against Corruption (IACAC)

The Inter-American Convention Against Corruption (IACAC) is the first multilateral anticorruption treaty instrument negotiated in the world. It was adopted by member countries of the Organization of American States (OAS) in March 1996 in Caracas, Venezuela, and was signed immediately by 21 countries.⁸ It entered into force on March 6, 1997. Since then, 34 countries of the Western Hemisphere have become States Parties to IACAC.⁹

The Convention enhances cooperation among States in the Western Hemisphere against domestic and transnational acts of corruption and institutes principles for how to effectively combat acts of corruption. It establishes legally binding obligations under international law and specifies the acts of corruption to which they apply. The Convention also obligates States Parties to deliver various forms of international cooperation and assistance to facilitate the prevention, investigation, and prosecution of acts of corruption, such as mutual legal assistance and technical cooperation, extradition and identification, tracing, freezing, seizure and forfeiture of property or proceeds obtained, derived from or used in the commission of acts of corruption, among others.

Despite UNCAC's global importance and legal innovation, IACAC remains a crucial anticorruption instrument. This is not only because it is the first international instrument of its kind but due to its lasting influence on anticorruption reform and cooperation in the region, not least through its review mechanism.

FIGURE 3.2
IACAC MAP



Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption (MESICIC)

Established in the framework of the OAS on June 4, 2001, MESICIC supports the States Parties to IACAC in the implementation of the provisions of the Convention through a process of reciprocal evaluation based on conditions of respect for sovereignty and juridical equality among the States.¹⁰ Since its launch, 33 States Parties to IACAC have participated in the review process. MESICIC is composed of the Conference of States Parties (CSP), the political body, as well as the Committee of Experts, the technical body, and supported by

⁷ IRM country profiles are available at <https://www.unodc.org/unodc/en/corruption/country-profile/index.html>.

⁸ US Department of State Bureau of Inter-American Affairs, "Fact Sheet: Organization of American States: The Anti-Corruption Convention," Archive, May 29, 1998, https://1997-2001.state.gov/regions/wha/fs_oas_convention.html.

⁹ Signature and ratification status as of December 11, 2021. Available at https://www.oas.org/en/sla/dil/inter_american_treaties_B-58_against_Corruption_signatories.asp.

¹⁰ OAS, "Follow-up Mechanism on the Implementation of the Inter-American Convention Against Corruption," June 5, 2001, http://www.oas.org/juridico/english/doc_buenos_aires_en.pdf.

the OAS Department of Legal Cooperation which serves as Technical Secretariat.¹¹

As part of MESICIC, countries prepare self-assessments which are based on a questionnaire and indicators. This process is meant to be a form of “reciprocal evaluation” which is implemented in the framework of successive “rounds” with each of the rounds allowing for a different aspect of the “scourge of corruption” to be addressed.¹²

In each round of evaluations, countries have been reviewed on a different provision of the Convention. As of December 2021, MESICIC has completed five Rounds of Review analyzing implementation by States Parties of various aspects covered in the IACAC. The Sixth Round of Review is currently underway (began March 2020). On average, each MESICIC review round takes approximately four years to complete, resulting in four to six country reports per year. In the reports, experts examine domestic laws and institutions to see if they are in compliance with the Convention’s provisions and effective in preventing and combating corruption.

MESICIC also includes onsite visits, follow-up recommendations, analysis reports, model legislation, and exchange of best practices. For onsite visits, experts visit the country that is being reviewed and meet with government officials and civil society organizations in order to gather additional information for the report. Then recommendations are formulated for the countries to improve and adjust their legal frameworks and institutions in order to meet the requirements of IACAC. Follow-up reports help to assess progress in the implementation of IACAC based on how well the recommendations have been followed. For cooperation tools, the Technical Secretariat prepares model laws and legislative guidelines to assist States parties in reforming and strengthening their legal frameworks and improving the effectiveness of their laws, policies, and institutions involved with fighting corruption. Ultimately, the MESICIC Technical Secretariat assists countries implementing IACAC with the adoption of Hemispheric Reports, which synthesize (a) recommendations that MESICIC has formulated for each of the States individually, (b) the activities carried by the MESICIC Technical Secretariat to assist countries in implementing IACAC, and (c) the measures implemented by the countries.

OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-Bribery Convention/ OECD-ABC)

On December 17, 1997, the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD-ABC) was signed, entering into force on February 15, 1999. It is the first legally binding international anticorruption instrument to focus on the “supply side” of bribery transactions. It remains so to this day, helping to create a level playing field for international business and bolster confidence in the operation of markets.

FIGURE 3.3
OECD-ABC MAP



Today, OECD-ABC has 44 States Parties, including all OECD countries and 7 non-OECD countries (i.e., Argentina, Brazil, Bulgaria, Costa Rica, Peru, Russia, and South Africa), which have agreed criminalized the bribery of foreign public officials in international business transactions under their laws and commit themselves to preventing, investigating, prosecuting, and sanctioning this offense. One

11 For more details, see Rules of Procedure of the Conference of the States Parties to the Mechanism for Follow-up on Implementation of the Inter-American Convention Against Corruption. http://www.oas.org/juridico/english/followup_conf_rules.pdf.

12 OAS, “FACT SHEET: The Mechanism for Follow-Up on the Implementation of the Inter-American Convention Against Corruption (MESICIC),” Press Releases, September 7, 2017, https://www.oas.org/en/media_center/press_release.asp?sCodigo=S-026/17.

of the main contributions of the Convention is that it creates a framework in which companies, not just individuals, can be held liable for foreign bribery. It also establishes effective dissuasive sanctions and a basis for jurisdiction in combating bribery of foreign public officials.

The Convention only covers active bribery of foreign officials, not foreign officials who solicit or receive a bribe (passive bribery). The 2021 Recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions¹³ complements the Anti-Bribery Convention with a view to further strengthening and supporting its implementation, including the demand side of bribery, among other notable issues (i.e., sanctions and confiscation, non-trial resolutions, international co-operation, protection of reporting persons, incentives for compliance, and data protection). With the adoption of the 2021 Recommendation, the Parties to the Convention reaffirmed their commitment to vigorously enforcing their foreign bribery laws and related offenses under the Convention, in line with recommendations made by the Working Group on Bribery through its peer-review monitoring mechanism since the 2009 Recommendation, when the OECD marked the tenth anniversary of the entry into force of the Convention.

Monitoring Mechanism

Monitoring the implementation and enforcement of the Convention (OECD-MM) is required by art. 12 of the Convention. It constitutes an open-ended, peer-driven monitoring mechanism conducted in successive phases that aims to evaluate the quality of implementation of the Convention and its 2009 and 2021 Anti-Bribery Recommendations.

The OECD Working Group on Bribery (WGB), which is composed of representatives of all signatory States, has been monitoring the OECD-MM since 1999. Made up of representatives from the States Parties to the Convention, the WGB meets four times per year in Paris, France, and releases all of its country monitoring reports to the public online. Unlike IRM, OECD-MM does not allow States Parties under review to veto the publication of the final report or recommendations.¹⁴ The country monitoring reports that are produced via a peer-review monitoring system, reflect each State Party's implementation of the Convention, which is reviewed

by the other parties to the Convention. It includes self-assessment based on a questionnaire, onsite visits, and peer reviews with lead examiners and plenary discussions.

The country monitoring itself takes place in phases which are described below:

- **Phase 1:** Evaluation of adequacy of a country's legal framework to fight foreign bribery and implement the Convention;
- **Phase 2:** Assessment of legislative and practical implementation;
- **Phase 3:** Evaluations of enforcement and cross-cutting issues along with the unimplemented recommendations from Phase 2;
- **Phase 4:** Assessment of enforcement and cross-cutting issues tailored to a country's specific needs along with any unimplemented recommendations from Phase 3.

In each phase, the WGB adopts a report and recommendations for each State Party, which are released online in the public domain. Following the adoption of the evaluation report, the WGB monitors the evaluated country's efforts to implement the follow-up recommendations.

If a country fails to take action to effectively implement these recommendations, the WGB can use additional measures to address an evaluated country's inadequate implementation or continued failure to implement the OECD Anti-Bribery Convention. One of such responses are "bis" evaluations, which involve a repeat evaluation that is conducted when a country has not adequately implemented the Convention or has not arranged a satisfactory onsite visit for the initial evaluations. Other quasi-sanctions are requiring the evaluated country to provide regular reports on an expedited basis of its progress in implementing the Convention and related instruments, arranging a technical mission to the evaluated country to discuss concerns with its implementation and enforcement of the Convention, or issuing a formal public statement that a participating country is insufficiently in compliance with the Convention.¹⁵ In severe and prolonged cases of inadequate implementation of the OECD-ABC, the WGB could decide to suspend the evaluated country's advancement to the next phase of monitoring.

¹³ OECD/LEGAL/0378 - Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions.

¹⁴ Phase 2 country monitoring of the OECD Anti-Bribery Convention. <https://www.oecd.org/daf/anti-bribery/anti-briberyconvention/phase2countrymonitoringoftheoecdanti-briberyconvention.htm>.

¹⁵ See information about other steps in situations of inadequate implementation of OECD-ABC at <https://www.oecd.org/daf/anti-bribery/countrymonitoringoftheoecdanti-briberyconvention.htm>.

Civil Society Engagement in Review Mechanisms

Across all levels of governance, civil society organizations (CSOs) hold an essential role in the fight against corruption. Their inclusion in anticorruption initiatives helps to raise public awareness, encourages government reforms, and strengthens transparency throughout the review process. Monitoring mechanisms are further improved by the participation of civil society as their input increases the accuracy of evaluations, and in turn, enhances the quality of recommendations. Through their advocacy and external assessments, CSOs create greater awareness of corruption and encourage governments in maintaining accountability. For these reasons, among others, each of the major anticorruption Conventions (UNCAC, IACAC, OECD-ABC) and their corresponding review mechanisms (IRM, MESICIC, OECD-MM) formally recognize the importance of civil society engagement.

In various ways and to different extents, each review mechanism discussed above allows for the involvement of CSOs in the review process. However, some mechanisms provide more limited means of engagement than others. During the process of the IRM, the participation of CSOs is non-mandatory and determined at the discretion of the State Party under review. This means that CSOs can only participate in the various stages of assessment (i.e., during country visits or in the preparation of the self-assessment checklists) after receiving a formal invitation or approval from the State Party undergoing assessment.¹⁶ Similarly, this stipulation extends to whether CSOs receive information about the focal points, self-assessment responses, and if they are included in the dialogue with the peer reviewers.

An alternative pathway for the engagement of CSOs monitoring the implementation of UNCAC is to attend sessions during the biannual CoSP. At the CoSP, representatives of CSOs can attend plenary sessions and, upon approval of the Conference or invitation of the President, “make oral statements or provide written reports at such meetings through a limited number of representatives on questions relating to their activities.”¹⁷ In order to attend, CSOs must apply for observer status prior to the Conference. Unless otherwise stipulated by the CoSP, CSOs that have consultative status with the Economic and Social Council (ECOSOC) are quickly approved. The process for non-ECOSOC CSOs is more complicated, as the list of those who applied is circulated to the States Parties prior to the Conference, and if any organization receives an objection to their attendance their application status is decided by the CoSP.¹⁸ To make their voices more visible, anticorruption CSOs have united into the UNCAC Coalition which has become an influential player in monitoring the ratification and implementation of UNCAC. It offers technical as well as limited financial support to CSOs that want to become involved in and contribute to the UNCAC implementation review process in their respective countries. This is mainly done through parallel civil society reports and follow-up reports on the implementation of the first review cycle.¹⁹

MESICIC has encouraged the inclusion of CSOs in the review process as well. Their involvement is covered in the Rules of Procedure and supported by several OAS initiatives, namely the Guidelines for the participation of Civil Society Organization in OAS Activities²⁰ and the Strategies for Increasing and Strengthening Participation of Civil Society Organizations in OAS Activities.²¹ According to the Rules of Procedure (art. 18), CSOs can participate within the review process during several of its components (during the compilation of the country report, on-site visits, the CoSP to

16 UNCAC Coalition, “UNCAC Review Mechanism,” n.d., <https://uncaccoalition.org/uncac-review/uncac-review-mechanism/>.

17 See Rule 17 in Rule of Procedure for the Conference of the States Parties to the United Nations Convention against Corruption. Available at https://www.unodc.org/pdf/crime/convention_corruption/cosp/07-80230_Ebooke.pdf.

18 UNCAC Coalition, “Civil Society Parallel Reports,” n.d., <https://uncaccoalition.org/uncac-review/cso-review-reports/>.

19 UNCAC Coalition. n.d. “CSO Review Reports.” Accessed November 20, 2021. <https://uncaccoalition.org/uncac-review/cso-review-reports/>.

20 Permanent Council of the OAS, “Guidelines for the Participation of Civil Society Organizations in OAS Activities” (OAS, December 15, 1999), <http://www.oas.org/council/resolutions/res759.asp>.

21 The full text can be found here <http://www.oas.org/council/resolutions/res840.asp>.

MESICIC, meetings of the Committee of Experts, and in presenting topics of collective interest to the Committee of Experts.).²² To participate in the preparations of the country report and attend the meetings of the Committee of Experts, organizations must be listed within the OAS Registry of CSOs. To register with the OAS, CSOs must meet the requirements listed within the Guidelines for the Participation of CSOs and mail their request, with the necessary documentation, to the OAS Secretary General.²³ If approved, CSOs can partake in the preparations of the country report in one of two ways. First, registered CSOs may submit proposals pertaining to Convention provisions for future rounds of review, the review methodology used, or on the preparation of questionnaires. Second, CSOs can submit their feedback during the preparation of the country report by directly replying to the questionnaire.²⁴ CSOs can be involved during onsite visits of peer reviewers, though this is ultimately decided by the State Party under review, which can propose alternatives to replace representatives already identified by the Committee of Experts.²⁵

While the OECD-MM provides some entry points for civil society actors, the peer review process excludes any formal opportunities for CSOs to participate in evaluations and subsequent follow-ups, which remain the prerogative of States Parties. However, since the schedule of country consultations is made publicly available, selected CSOs can express their views (in writing) to the WGB during each phase of the review process.²⁶ The call for written submissions and expressions of interest is

also published by the OECD following each new evaluation. In the first phase of the review process, this remains the sole entry point for civil society engagement. The opportunities for civil society to provide input are less limited in the second, third, and fourth phases, which encourage informal exchanges with civil society representatives during on-site visits and host CSO led panels on implementation and enforcement within their agendas.²⁷ Nevertheless, opportunities for CSO engagement are largely absent, and the country under review primarily determines how input is obtained from civil society and ultimately, the extent of their involvement in the OECD-MM.²⁸ The main opportunity for civil society to engage with the WGB and advance anticorruption efforts is presented during the annual OECD Consultation on Fighting Foreign Bribery, which brings together cross-sector disciplines and relevant stakeholder to discuss issues related to transnational bribery and the OECD work program. While the annual event is only one of three channels for engaging with civil society (the remaining channels consist of participation in on-site visits and the submission of written expressions during evaluations) the combination of these options enables the involvement of civil society but restricts the evaluation of the review process to encompass only government actors.

22 Rules of Procedure of the Conference of the States Parties to the Mechanism for Follow-up on Implementation of the Inter-American Convention Against Corruption, Organization of American States, Washington, D.C., as available on http://www.oas.org/juridico/english/followup_conf_rules.pdf.

23 Detailed guidelines on applying to become part of the OAS Registry of CSOs can be found here http://www.oas.org/en/ser/dia/civil_society/docs/Manual_SC_Participation_EN.pdf.

24 More information on the involvement of civil society in MESICIC can be found here: <http://www.oas.org/en/sla/dlc/mesicic/sociedad-civil.html>

25 The text of the Methodology is available at: http://www.oas.org/juridico/english/met_onsite.pdf.

26 Phase 1 country monitoring of the OECD Anti-Bribery Convention. <https://www.oecd.org/daf/anti-bribery/anti-briberyconvention/phase1countrymonitoringoftheoecdanti-briberyconvention.htm>

27 Phase 2 Monitoring Information Resources. <https://www.oecd.org/daf/anti-bribery/anti-briberyconvention/37916829.pdf>.

28 Phase 3 Monitoring Information Resources Booklet. Available at <https://www.oecd.org/daf/anti-bribery/anti-briberyconvention/Phase3InformationResourcesManualENG.pdf>.



04



METHODOLOGY

04. Methodology

The Western Hemisphere Anticorruption Index (henceforth “Index”) was constructed using primary and secondary data. The Index consists of two scores – the Convention Implementation Score (CIS) and the Corruption Resilience Score (CRS). This document outlines the detailed methodology of the Index and all of its components.

Convention Implementation Score (CIS)

The Convention Implementation Score (CIS) captures the extent to which countries in the region have implemented their global and regional anti-corruption commitments as set forth in three key instruments—The Inter-American Convention Against Corruption (IACAC), the United Nations Convention Against Corruption (UNCAC), and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Anti-Bribery Convention or OECD-ABC). The review documents were collected from IACAC’s Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) through its first five rounds of review (2003-2020), UNCAC’s Implementation Review Mechanism (IRM) and its two review cycles (2010-2020), and OECD-ABC’s monitoring mechanism (OECD-MM) and its four phases of evaluation (2000-2021).

Data Collection

To evaluate the level of implementation of the three international anticorruption conventions selected for the Index, the reports produced by those instruments’ review mechanisms were utilized. By 2021, MESICIC has completed five rounds of review, the IRM is concluding its second review cycle, and States Parties to the OECD-MM from the focus region have undergone between two and four phases of the monitoring process. These reports, obtained either in full or in the form of executive summaries, are treated as a source of unstructured data from

which a smaller dataset is extracted for analysis, scoring, and interpretation.

As the assessment of anti-corruption efforts carried out by a State Party has the objective of quantifying the degree of implementation given to all three conventions, the contribution of any individual measure to the overall assessment is regarded without consideration to the nature of a State Party’s obligation vis-à-vis that measure. In other words, all selected measures are treated as inherently mandatory, disregarding the expressions or language employed in the conventions and focusing instead on the anticorruption principles contained therein.

The first step of the data collection process consisted of matching and pairing the provisions contained in all three conventions, using IACAC as a basis. This process builds on Wickberg (2013) by extending the scope to include all relevant provisions within the three major conventions, which resulted in 64 measures after the inclusion of the OECD-ABC (48 found in IACAC, 63 in UNCAC, and 2 in OECD-ABC).¹ Then, the measures that were not included in any of the review documents outlined earlier are filtered out, resulting in a final list of 50 measures for which data is available. Following the structure of UNCAC, the selected provisions are grouped into three thematic dimensions:

- **Prevention** (10 measures)
- **Criminalization and Law Enforcement** (25 measures)
- **International Cooperation** (15 measures)

¹ The provisions in the OECD-ABC relate to a number of measures included in CIS, including the liability of legal persons, jurisdiction, sanctions, etc., and there is an argument for matching its articles to those of the IACAC and UNCAC. Ultimately, this approach was not taken because all the provisions in the OECD-ABC are limited in scope to a single crime—the bribery of foreign officials—whereas neither IACAC and UNCAC discuss legal persons, jurisdiction, etc., with such a condition (these apply to a much broader range of corruption-related crimes).

TABLE 4.1

CIS MEASURES BY THEMATIC DIMENSIONS**PREVENTION**

#	MEASURES	BRIEF DESCRIPTION	IACAC	UNCAC	OECD-ABC
1	STANDARDS OF CONDUCT	A set of rules outlining the norms, rules, and responsibilities or proper practices of an individual party or an organization which are means to preserve the public's confidence in the integrity of public servants and government processes	Art. 3(1)	Art. 8(1–4); Art. 11(1–2); Art. 12(e); Art. 38 (1a); Art. 38 (1b)	n/a
2	ENFORCEMENT OF STANDARDS OF CONDUCT	Mechanisms to enforce compliance with standards of conduct	Art. 3(2)	Art. 8(6)	n/a
3	TRAINING OF PUBLIC OFFICIALS	Providing instruction to government personnel about responsibilities and ethics	Art. 3(3)	Art. 7 (1d)	n/a
4	ASSET AND CONFLICTS OF INTERESTS DECLARATIONS	Systems for registering the income, assets, and liabilities of public officials	Art. 3 (4)	Art. 7 (4); Art. 8 (5); Art. 52 (5–6)	n/a
5	TRANSPARENCY IN GOVERNMENT CONTRACTING	Systems of government hiring and procurement of goods that assures openness	Art. 3(5)	Art. 7 (1a–1b); Art. 9 (1a–1e)	n/a
6	ELIMINATION OF FAVORABLE TAX TREATMENT	Tax treatment of corruption for the private sector	Art. 3(7)	Art. 12 (4)	n/a
7	OVERSIGHT BODIES	Institutional bodies that create anticorruption mechanisms	Art. 3(9)	Art. 6 (1a–1b); Art. 6 (2); Art. 36; Art. 14 (1b); Art. 58	n/a
8	MEASURES TO DETER DOMESTIC AND FOREIGN BRIBERY	Mechanisms that record and track the transactions of assets to detect corruption	Art. 3(10)	Art. 12 (1); Art. 12 (2a–2d; 2f); Art. 12 (3a–3f);	n/a
9	ENCOURAGING PARTICIPATION BY CIVIL SOCIETY	Mechanisms that enable the participation of civil society	Art. 3(11)	Art. 5 (1); Art. 10 (1a–1c); Art. 13 (1a–1d); Art. 13 (2); Art. 5 (2–3)	n/a
10	STUDY OF OTHER PREVENTIVE MEASURES	Measures that enable the study of equitable compensation and probity in public service	Art. 3(12)	Art. 7 (1c)	n/a

CRIMINALIZATION AND LAW ENFORCEMENT

#	MEASURES	BRIEF DESCRIPTION	IACAC	UNCAC	OECD-ABC
1	PROTECTION OF THOSE WHO REPORT ACTS OF CORRUPTION	Systems that ensure whistleblower protections	Art. 3(8)	Art. 33; Art. 39 (2); Art. 32 (1–5); Art. 37 (4)	n/a
2	SCOPE	Provisions that establish the applicability of jurisdiction	Art. 4	Art. 42 (2d)	n/a
3	JURISDICTION: OFFENSE-IN-TERRITORY	Provisions that establish jurisdiction of acts or offenses that occur within the territory	Art. 5(1)	Art. 42 (1a–1b; 2c); Art. 42 (5)	n/a
4	JURISDICTION: OFFENSE-BY-NATIONAL	Provisions that establish jurisdiction when offenses are perpetrated by nationals	Art. 5(2)	Art. 42 (2a–2b); Art. 42 (5)	n/a

5	JURISDICTION: OFFENDER-IN-TERRITORY	Provisions that establish jurisdiction when the perpetrator of acts of corruption is found and remains within the territory	Art. 5(3)	Art. 42 (3-4)	n/a
6	PASSIVE PUBLIC BRIBERY	The criminalization of passive public bribery	Art. 6 (1)(a)	Art. 15 (1b)	n/a
7	ACTIVE PUBLIC BRIBERY	The criminalization of active public bribery	Art. 6 (1)(b)	Art. 15 (1a)	n/a
8	ABUSE OF FUNCTIONS	The criminalization of corruption related acts perpetrated by public officials	Art. 6 (1)(c)	Art. 19	n/a
9	MONEY LAUNDERING	The criminalization of money laundering related to acts of corruption	Art. 6 (1)(d)	Art. 23 (1a)(i)–(1a)(ii); (1b)(i)–(1b)(ii); (2a–2b); (2d); Art. 24; Art. 23 (2c; 2e)	n/a
10	PARTICIPATION AND ATTEMPT	The criminalization of preparing, attempting, or participating in acts of corruption	Art. 6 (1)(e)	Art. 27 (1–3); Art. 28	n/a
11	ACTIVE FOREIGN BRIBERY	Measures enacted to criminalize and punish the offering or granting of any benefit or monetary value to a government official of another country by a national	Art. 8	Art. 16 (1)	Art. 1 (1–2); Art. 2; Art. 3 (1–4); Art. 4 (1–4); Art. 5–7; Art. 8 (1–2); Art. 9 (1–3); Art. 10 (1–4)
12	ILLICIT ENRICHMENT	The criminalization of illicit enrichment	Art. 9	Art. 20	n/a
13	USE OF STATE PROPERTY	The criminalization of the improper use of State property by public officials	Art. 11 (1b)	Art. 17	n/a
14	ILLICIT ACQUISITION OF A BENEFIT	The criminalization of active and passive influence peddling	Art. 11 (1c)	Art. 18 (1a–1b)	n/a
15	PUBLIC EMBEZZLEMENT	The criminalization of public embezzlement	Art. 11 (1d)	Art. 17	n/a
16	ASSET RECOVERY	Measures and mechanisms related to procedures for asset identification, freezing, and recovery	n/a	Art. 31 (1a–b; 2–10); Art. 46 (3j–k); Art. 52 (2b); Art. 53 (1a–b); Art. 54 (1a–c; 2a–c)	n/a
17	PASSIVE FOREIGN BRIBERY	Optional measures that establish the bribery of foreign public officials as a criminal offense and outline applicable procedures to address such an offense.	n/a	Art. 16 (2)	Art. 1 (1–2); Art. 2; Art. 3 (1–4); Art. 4 (1–4); Art. 5–7; Art. 8 (1–2); Art. 9 (1–3); Art. 10 (1–4)
18	PRIVATE BRIBERY	Measures that criminalize passive and active bribery within the private sector	n/a	Art. 21 (1a–1b)	n/a
19	PRIVATE EMBEZZLEMENT	Legislation or measures that criminalize embezzlement within the private sector	n/a	Art. 22	n/a
20	OBSTRUCTION OF JUSTICE	Measures that criminalize the intentional obstruction of evidence or proceedings in corruption related offenses	n/a	Art. 25 (1a–1b)	n/a
21	LIABILITY OF LEGAL PERSONS	Measures that establish the criminal, civil or administrative liability of legal persons in convention-related offenses	n/a	Art. 26 (1–4)	n/a

22	STATUTE OF LIMITATIONS	Measures that enable a longer statute of limitations or suspend the statute of limitations in convention-related offenses	n/a	Art. 29	n/a
23	PROSECUTION, ADJUDICATION AND SANCTIONS	Measures that balance immunity, liability, sanctions, gravity of offenses, and discretion in addressing acts of corruption	n/a	Art. 30 (1-7b; 8-10); Art. 41	n/a
24	CONSEQUENCES AND COMPENSATION	Measures that outline the consequences of acts of corruption and possible compensation for damages	n/a	Art. 34-35	n/a
25	COOPERATION WITH LAW ENFORCEMENT	Measures that establish procedures for offenders to cooperate with law enforcement	n/a	Art. 37 (1-3; 5)	n/a

INTERNATIONAL COOPERATION

#	MEASURES	BRIEF DESCRIPTION	IACAC	UNCAC	OECD-ABC
1	ASSISTANCE WITHOUT CRIMINALIZATION	Cooperation between States Parties on corruption-related crimes within the conventions, regardless of their criminalization status	Art. 11 (3)	Art. 43 (1); Art. 46 (9a-9c)	n/a
2	INCLUSION IN EXTRADITION TREATIES	Measures to recognize and act on extraditable offenses between the States Parties	Art. 13 (2)	Art. 44 (4; 9; 12; 14-18); Art. 45	n/a
3	CONVENTION AS LEGAL BASIS FOR EXTRADITION	The use of convention(s) as the legal basis for extradition for corruption-related offenses	Art. 13 (3)	Art. 44 (5; 6a-6b)	n/a
4	AUTOMATIC APPLICATION WITHOUT TREATY	Measures to recognize and act on extraditable offenses between the States Parties	Art. 13 (4)	Art. 44 (1-3; 7)	n/a
5	PROSECUTION WITHOUT EXTRADITION	Procedures regarding prosecution if extradition is refused	Art. 13 (6)	Art. 44 (11; 13)	n/a
6	CUSTODY	Procedures regarding the custody of offenders awaiting extradition	Art. 13 (7)	Art. 44 (10)	n/a
7	ASSISTANCE	Mechanisms and procedures for broad cooperation between States Parties on legal matters related to the prosecution and investigation of corruption offenses	Art. 14 (1)	Art. 43 (1); Art. 46 (1; 2; 3a-3i; 4; 7; 10a-b; 11a-d; 12; 14; 15a-15f; 16-18; 21a-21d; 22; 23-26; 27; 28; 29a-b); Art. 47; Art. 48 (1a; 1bi-1biii; 1c-1f; 2; 3); Art. 49; Art. 50 (2-4);	n/a
8	TECHNICAL COOPERATION	Cooperation between States Parties to enhance technical assistance and information exchanges in corruption-related matters.	Art. 14 (2)	Art. 5 (4); Art. 60 (2-6; 8); Art. 61 (2)	n/a
9	IMPOSSIBILITY OF CLAIMING BANK SECRECY	Measures regarding assistance, procedures, and criminalization of bank secrecy	Art. 16 (1)	Art. 46 (8); Art. 40	n/a
10	LIMITED USE OF INFORMATION	Procedures regarding the conditional use of information shared	Art. 16 (2)	Art. 46 (5; 19; 20)	n/a

11	NATURE OF ACT	Measures regarding the nature of corruption-related acts and whether are classified as political and/or extraditable offenses	Art. 17	Art. 44 (4)	n/a
12	DESIGNATE CENTRAL AUTHORITIES	Measures that allow States Parties to designate and rely on authorities to develop and implement anticorruption mechanisms	Art. 18 (1)	Art. 6 (3); Art. 46 (13)	n/a
13	RESPONSIBILITIES OF CENTRAL AUTHORITIES	Procedures that outline the responsibility and power of central authorities	Art. 18 (2)	Art. 46 (13)	n/a
14	COMMUNICATION BETWEEN CENTRAL AUTHORITIES	Procedures that enable direct communication between central authorities	Art. 18 (3)	n/a	n/a
15	SPECIAL INVESTIGATIVE TECHNIQUES	Measures that enable States Parties to use, within the scope of domestic law, special investigative techniques in anti-corruption efforts.	n/a	Art. 50 (1)	n/a

Data Analysis

The extent of the States Parties' ability to put selected measures into practice is assessed across three implementation dimensions (i.e., Adoption, Design, Enforcement) which are composed of several indicators:

Adoption

The first implementation dimension evaluates the degree to which a State Party has evidenced their willingness to adopt and carry out the selected measure, as well as the number of existing initiatives which have been formally adopted by a State Party in pursuing its implementation. It is assessed through two indicators – **effort** and **creation**.

- **Effort:** This indicator reflects the existence of one or more initiatives implemented by the State Party that correspond to the selected measure.
- **Creation:** This indicator considers the existence of one or more formally adopted anticorruption actions aligned with the requirements and recommendations of the conventions (e.g., laws, executive decrees, administrative resolutions, or any other relevant policy anticorruption instruments).

Design

The second implementation dimension centers on the operational characteristics of the initiatives formally adopted by a State Party in achieving the objective of an anticorruption measure. It is assessed through three indicators – **scope**, **features**, and **supporting mechanisms**.

- **Scope:** This indicator captures the geographical, hierarchical, and/or cross-sectoral scope to which the anticorruption initiatives adopted by a State Party are applicable.
- **Features:** This indicator measures the degree to which an anticorruption initiative adopted by a State Party is in line with the international standards established by the conventions.
- **Mechanisms:** This indicator reflects the existence and inclusion of the required systems, sanctions, and oversight bodies in the initiatives adopted by a State Party in the context of its implementation of anticorruption conventions.

Enforcement

This third dimension pertains to the level of enforcement of initiatives adopted by a State Party in regard to a selected measure required by anticorruption conventions. It is assessed through three indicators—**intensity**, **integrity**, and **resources**.

- **Intensity:** This indicator captures the consistency of the enforcement of anticorruption initiatives.
- **Integrity:** This indicator reflects the degree to which the anticorruption initiatives adopted by a State Party are enforced impartially and free from external influence.
- **Resources:** This indicator measures the degree of resource allocation (e.g., budget, staff, etc.) for the enforcement of anticorruption initiatives by States Parties and whether it matches the objective of the measure required in anticorruption conventions.

TABLE 4.2

DIMENSIONS AND INDICATORS OF THE CONVENTION IMPLEMENTATION MEASURES

DIMENSIONS	INDICATORS
ADOPTION	Effort: initiative, support, etc. Creation: administrative / decree / law
DESIGN	Scope: geographical / hierarchical / cross-sectorial Features: limited / full Mechanisms: systems / bodies / oversight
ENFORCEMENT	Intensity: sporadic / continuous Integrity: partial / impartial Resources: budget, staff, etc.

Scoring

The eight convention implementation indicators described above are given a score of 0 (“criticism”), 0.5 (“in progress”), or 1 (“approval”), which are calculated based on the overall assessment of the findings contained in the review reports for the IRM, MESICIC, and OECD-MM.

At the start of the assessment, each provision receives full scores. The scores are then amended according to the nature and extent of problems identified in the review files for the IRM, MESICIC, and OECD-MM. If problems are detected, the score of each indicator is lowered to reflect the extent of its impact. Otherwise, the indicator scores remain unchanged.

This approach allows for any unaddressed dimension in the review reports to work in favor of the State Party, as absent measures are not included in the score. There is one exception to this rule which is applied to cases with missing or insufficient information on enforcement efforts. In such a case, a country receives an automatic score of 0.5 (“in progress”) on intensity, integrity, and resources. For example, a MESICIC report for the Third-Round states that the country under review “did not refer to results in this area in its response” when discussing its legal framework on extradition. In these cases, as it is not possible to establish the degree of enforcement and both full scores or full penalization would likely misconstrue the actual progress made by the country in this respect, the middle ground was selected as a reasonable compromise.

A weighted average which considers the value of each implementation dimension relative to their degree of importance is then applied to calculate

the total measure score. In this case, the value of implementation dimensions that hold more weight like “design” and “enforcement” contribute more to the overall score than “adoption” which is considered a minimum requirement. In other words, the extent of a State Parties enforcement initiatives (in terms of their applied consistency, impartiality, and resources) and operational design (existence of mechanisms, whether they meet international standards, etc.) has more impact on the implementation of Conventions than expressions of willingness or the formal adoption of anticorruption initiatives. The **effort** and **creation** indicators supplement this assessment, as they reflect the efforts of State Parties to meet requirements to develop legal frameworks or other relevant anticorruption initiatives. The **scope**, **features**, and **mechanisms** indicators assess and highlight the quality of anticorruption initiatives. Their enforcement, however, and the commitments of States Parties in maintaining it effectively are represented by the intensity, integrity, and resources indicated.

This strategy aims to reflect the relative importance that the different stages of anti-corruption policy making hold for the ultimate goal set out in the conventions—a substantial reduction in the levels of corruption in the target countries. The adoption of legal and policy instruments is considered to be the minimum basis for this effort and the initial stage towards the goal. However, the existence of legal and policy instruments is only relevant to the degree that they are designed in a technically appropriate way, which results in a higher value for the dimension of Design rather than the simple act of Adoption. Regardless of their normative quality, legal and policy instruments cannot effect changes in the levels of corruption if they are not ultimately enforced; at this point, activism in the Enforcement dimension may even compensate for any deficit in design and succeed in reducing corruption, whereas a perfectly designed norm holds little value unless it is properly enforced. Thus, by giving different weights to each dimension it is possible to account for their relative contribution to the goal of preventing and controlling corruption.

Therefore, given the relative importance and interaction between these three dimensions, in addition to their significance in achieving the effective implementation of the anticorruption Conventions; the total measure is calculated based on the following formula:

$$(\text{Effort} + (\text{Creation} * 1.5)) + ((\text{Scope} + \text{Features} + \text{Mechanisms}) * ((\text{Intensity} + \text{Integrity} + \text{Resources}) * 1.5))$$

In other words, the indicator of creation receives 50% more points than effort; the cumulative value of “design” indicators is considered double that of creation; and the cumulative value of “enforcement” indicators is 50% more than that for “design.” This weighted average gives a maximum of 16 points to a measure. The dimension and weighted scores are rescaled to 100 and labels are applied to the following ranges:

• **71.9~100.0 = “Implemented”**

A score that successfully evidences the adoption and enforcement of anticorruption measures—normative and otherwise—in accordance with the principles laid out by the anticorruption convention provisions.

• **43.8~71.8 = “In progress”**

A score that reflects a partial compliance of

anticorruption implementation in accordance with the principles contemplated in the anticorruption convention provisions. It evidences a deficit in their design and/or enforcement and indicated important limits in the accomplishment of anticorruption implementation.

• **9.4~43.7 = “Core-deficient”**

This score is assigned to countries which experience a critical deficit in the design and/or enforcement of anticorruption convention provisions, rendering them inappropriate for the accomplishment of anticorruption goals.

• **0.0~9.3 = “Not implemented”**

A score that reflects that a country either fully misses or disregards the principles laid out in the anticorruption convention provisions as it comes to the adoption, design, and enforcement of anticorruption measures.

TABLE 4.3
SCORING CHART

Adoption		Design			Enforcement		
Effort	Creation	Scope	Features	Mechanism	Intensity	Integrity	Resources
1	1	1	1	1	1	1	1
Adoption (Rescaled) 2 (100)		Enforcement (Rescaled) 3 (100)			Enforcement (Rescaled) 3 (100)		
Weighted Score (Rescaled) 16 (100)							

TABLE 4.5
CIS SCORING RANGES AND LABELS

RESCALED WEIGHTED SCORE	CORRESPONDING LABELS
100~71.9	IMPLEMENTED
71.8~43.8	IN PROGRESS
43.7~9.4	CORE-DEFICIENT
≤ 9.3	NOT IMPLEMENTED

corresponding indicators through a country-specific lens. Each country narrative consists of three main sections: (i) the description of a country’s status in the anticorruption conventions and review mechanisms; (ii) elaboration of the total country score, ranking position within the region, and a brief summary of the findings; and (iii) review of the state of implementation of select anticorruption provisions across the three thematic sections (i.e., prevention, criminalization and law enforcement, and international cooperation).

Strengths

The Index’s Convention Implementation Score (CIS) was composed using original data. It provides an innovative way of evaluating national anticorruption architectures, offering insights into the state of progress in the implementation of international anticorruption conventions. A few noteworthy features to highlight include:

Data Interpretation

The rescaled weighted scores and labels provide the basis for the overall assessment of a given country’s implementation of anticorruption conventions. This illustrates the strengths and weaknesses of each implementation dimension and their

The Convention Implementation Score as a data-driven tool:

- As a systematic and empirical analysis of the provisions contained in the major anticorruption Conventions relevant to the region, the CIS provides a comprehensive map of policy areas requiring reform. Country profiles are constructed to reflect the complex nature of anticorruption efforts and their measures extend beyond assigning countries a single value. Instead, they piece together a comprehensive assessment using individual measures to showcase a country's overall efforts (i.e., adoption, design, enforcement) and measure-specific scores (i.e., in prevention efforts, criminalization and law enforcement, and international cooperation)
- By separating the assessment of anti-corruption policy implementation from the measurement of corruption levels in a country, the Convention Implementation Score allows the identification of potential disparities between outputs (i.e., anti-corruption initiatives) and outcomes (i.e., corruption levels). The comparison between these two forms of evaluation aims to shed light on the relative impact of contextual factors when designing responsive anti-corruption strategies geared toward country-specific conditions.
- Differences between the degree of anticorruption policy implementation and the level of corruption in a given country may provide insights into priority areas for improving the ways in which anticorruption objectives are identified and/or described in international anticorruption conventions. In this regard, the potential for revised international efforts also extends to the data and benchmarks adopted by review mechanisms.

The strengths of the CIS methodology

- The development of three dimensions—adoption, design, and enforcement—and eight indicators—effort, creation, scope, features, mechanism, intensity, integrity, and resources—provides a more systematic approach to the evaluation of anticorruption initiatives than traditionally used.
- As described earlier, one of the main strengths of the Convention Implementation Score comes from the assessment and scoring of individual measures. The production of dimension-specific scores (i.e., adoption, enforcement, design) offers an additional level of depth. This provides a detailed picture of the state of national anticorruption efforts with a view to reforming anticorruption policy.

- The Convention Implementation Score is reflective of the rationale behind the implementation of legal and policy initiatives in pursuit of control of corruption. The use of statistical weights to increase the relative importance of some dimensions and indicators reflects that rationale, allowing the final measure-specific scores to be more nuanced and refined.
- By drawing on convention implementation information from several review mechanisms and different cycles thereof, the Convention Implementation Score is anticipated to improve fairness in the process of evaluating countries' anticorruption commitments and their progress towards their realization.

Limitations

Any missing information in the reports of the review mechanisms can potentially impact the process of data extraction, analysis, scoring, and interpretation.

Several specific limitations are worthy of further detail. First, the statistical data related to anticorruption enforcement is incomplete or absent in several countries. Therefore, it is not consistently addressed in follow-up reports. This gap can reduce the level of specificity in the assessment of some countries. Second, the review mechanisms provide an inconsistent analysis across measures, with some measures receiving more attention than others. This issue can lead to a perception that some measures are more important than others. Third, the evaluation of similar initiatives adopted by different States Parties is somewhat inconsistent, with very similar initiatives leading to a more positive assessment in some cases and a more negative one in others. This issue may limit the comparability of anticorruption provisions across countries and decrease the stability of scoring protocols.

Transparency Record

The transparency record contains a condensed assessment of the information recorded within UNCAC civil society parallel review reports—which encompasses eleven countries over several review cycles.² The parallel review reports are authored by representatives of civil society, who evaluate the extent of government transparency, inclusivity, and compliance during—and in the case of follow-up reviews, after—the UNCAC review process in their respective countries. Civil society authors may choose to assess government compliance in all relevant articles of the UNCAC chapters under

² See the full list of UNCAC civil society parallel review reports at <https://uncaccoalition.org/uncac-review/cso-review-reports/>.

review, or within a selected few. Their findings are then summarized within full reports and/or executives summaries, and reflect key points on the availability of information, legal frameworks, enforcement systems, and priority recommendations for each country assessed. The transparency record synthesizes the findings of civil society reviewers and the responses to several questions (indicating the extent of openness or obscurity during the review process) within country profiles. As the data was only available for eleven countries, the transparency record serves as an informative supplement to the CIS and CRS analyses by displaying another layer of country-specific conditions during review processes.³ The following questions—and their

corresponding responses—were compiled from UNCAC civil society parallel review reports to create the transparency record:

- Did the government make public the contact details for the country focal point?
- Was civil society consulted in preparation for the self-assessment?
- Was civil society invited to provide information to the official reviewers?
- Was the self-assessment published online or provided to CSOs?

Corruption Resilience Score (CRS)

The Corruption Resilience Score (CRS) captures the extent of the risks posed by corruption and maps the areas, institutions, and sectors most permeable to its influence.

The CRS provides an empirical assessment of five indicators (social context, quality of government, business stability, the rule of law, and security and violence) which compose a score that illustrates the capacities of national governments to maintain resilience against corruption within the Western Hemisphere. The CRS indicators each represent areas critical to maintaining safeguards against corruption and contain several components, which were compiled using a range of secondary sources to supplement their accuracy. The secondary data is derived from multiple sources and covers a period of ten years between 2010 and 2020.

Excluding Canada and the United States, the CRS determines the capacity for resilience against corruption in 31 countries across the region. The resulting scores and corresponding countries are then labeled to reflect their level of resilience. The labels range from the highest ‘resilient’ scores between 70-100, ‘moderately resilient’ scores that fall between 45-69, to the most ‘vulnerable’ countries which receive scores below 45 points. The number of countries that receive a given label are then calculated to reflect regional percentages of resilience.

TABLE 4.6
CORRUPTION RESILIENCE SCORES (CRS), 2020

SCORE	CORRESPONDING LABELS
100~70	RESILIENT
69~45	MODERATELY RESILIENT
< 45	VULNERABLE

Several steps were involved in creating the CRS: variable selection, assessing bivariate and multivariate relationships among variables, index scoring, and finally, the validation of the index. The indicators that inform the CRS are as follows:

- Social context
- Quality of government
- Business stability
- The rule of law
- Security and violence

In determining the variables to be included in the CRS, several criteria were applied in the selection process: face validity (logical validity), unidimensional and variance, and bivariate and multivariate relationship examination.

³ Since the civil society parallel reports were only available for 11 countries, the transparency record was only used for informative purposes and was not included in the calculation of the CIS.

Criterion 1: Face Validity

In the simplest terms, face validity relates to the extent of a measure's accuracy in what it aims to measure (at face value). For example, each of the measures for the social context indicator (i.e., media freedom, civil liberties, and political rights) have shown that societal elements can improve resilience against corruption. In other words, the selected measures for all five indicators had to appear to evaluate resilience against corruption.

Moreover, the relevance of the data was evaluated according to whether it met the overall measure of the five indicators (excluding anticorruption Conventions). To ensure the accuracy of the data used in the construction of the index, the data was exclusively procured from internationally recognized sources (IMF, Eurostat, OECD) which apply professional standards, follow appropriate statistical criteria, and maintain transparency in their methodologies. Similarly, the accuracy of the included variables for each indicator was evaluated to ensure the data produced was free of political bias and pressure.

Timelines were then created to verify the overall coherence of the data, and the necessary condition of coherence was applied. The condition emphasizes that data should be consistent over time, where the same sampling approach or question format is used to collect data over time. First, coherence overtime was used, where data with consistent concepts, methodologies, and measures over time were included, and data that did not meet those standards was rejected. When a change occurred in the methodology or question of the survey over time by the source provider, then those year[s] were not selected. For example, data from the World Economic Forum was used; however, the methodology for some variables changed in 2017, so data after 2017 were excluded from the indicator as they included a mixture of household and firm surveys using subjective expert assessments.

Criterion 2: Unidimensional and Variance

The literature on index construction has advised that in the selection process, unidimensionality should be ensured. Therefore, each indicator only measures a single dimension (i.e., quality of government) and the variables used to construct the indicator only measure factors that impact government quality.

Criterion 3: Bivariate and Multivariate Relationship Examination

Bivariate and multivariate relationships were examined among the variables being considered for inclusion in the indicators. This approach allowed users to select meaningful variables that improved the indicators and eventually the Corruption Resilience Index; thereby, it was a way to eliminate variables which measured the same phenomenon. This method helps determine the overall power of a particular variable under consideration for the index. As part of this examination, which gauged the accuracy of indicators and their relationships to relevant factors (i.e., the control of corruption, organized crime, economic output), multiple Pearson correlations were conducted.

Normalization of Values

As the data was derived from different sources that were not easily comparable, the values for each variable were normalized before the indicators were aggregated for the compilation of the Corruption Resilience Index.⁴ The normalization of the data allowed for the comparability of all variables across the six indicators. The Min-Max normalization approach, one of the most common approaches to normalize variables, was applied.

$$Z_i = 100 \times (X_{\text{Max}} - X_i) / (X_{\text{Max}} - X_{\text{Min}})$$

With the Min-Max normalization approach, the variables were converted to a range between 0 and 100, where 0 indicates the worst performance and 100 indicates optimal performance. The Min-Max normalization approach was utilized because it is the most common and reliable approach used to construct indexes. For example, many indexes constructed by the United Nations and World Bank have applied this approach. In addition, normalizing the variables between 0 and 100 will enable users to reduce the amount of spurious variability.

An analysis for skewness was carried out before normalizing the variables to determine the distribution of each variable and identify extreme outliers. The analysis indicated that only a few variables are negatively or positively skewed, but nothing too serious to cause concern in the variable was present. Once all variables were normalized, all 6 indicators were aggregated to create the Corruption Resilience Index. A 2-step approach was applied

⁴ In cases where variables had lower bounds as the best performance and the upper bounds as the worst performance—the variable was flipped before normalization (i.e., Freedom House's Civil Liberties [1 – 7, worst performance] variable was flipped before normalization.)

to aggregate all the variables. The variables for each indicator were aggregated using the arithmetic mean, all of which are weighted equally.

TABLE 4.7
INDICATOR MAPPING

INDICATOR	VARIABLES ⁵
SOCIAL CONTEXT	5
QUALITY OF GOVERNMENT	19
BUSINESS STABILITY	7
RULE OF LAW	9
SECURITY AND VIOLENCE	3

Missing Values

To identify the most suitable solution to deal with missing values, Little's MCAR test was performed to check the patterns of the missing values. The Little's MACR test was found to be significant [$\alpha = .05$]; therefore, the null hypothesis was rejected that the values are missing completely at random. In other words, the missing data is not independent of other variables in the model, instead, it is predictable by them. This finding indicated that the deletion approach to deal with missing values was not appropriate because it could introduce bias to the model.⁶ Thus, a multiple imputation approach was applied since the data were missing at random. Therefore, a multiple imputation approach was applied, which included five imputations. The pooled mean score was used to obtain the values for the missing data.

Indicators

The CRS is composed of five indicators for which data have been derived from various internationally recognized sources. The data were drawn from the World Bank, World Economic Forum, Freedom House, Reporters without Border, Economist Intelligence Unit, World Justice Project, Bertelsmann Transformation, Heritage Foundation, Political Terror Scale (State Department values), and Social Violence Scale, and other credible sources.

1. Societal Context

This indicator captures factors such as civil liberties, political rights, and media freedom. We assume that a deficiency in these factors can increase the vulnerability to corruption. For example, when Maduro curtailed political rights in Venezuela, the country became less resilient against corruption.

Components:

- Political rights
- Civil liberties
- Media freedom

⁵ The total variables are the number of secondary sources used to create the indicator.

⁶ In applying the multiple imputation approach, five imputations were conducted, and then the pooled mean was used to obtain the values for the missing data.

2. Quality of Government

This indicator captures the quality of government, political process, and institutions—including constraints on government, quality of the bureaucratic system, open and fair elections, transparency in government decision making, and consistency in policy direction. In addition, we added the control of corruption indicator by the World Bank's Worldwide Governance Indicator as a measure of the quality of institutions. It is assumed that institutional deficiencies decrease resilience to corruption.

Components:

- Control of corruption
- Governance
- Quality of public administration and bureaucracy
- Institutional effectiveness

3. Business Stability

Focusing on the business environment, this indicator captures the elements of resilience to corruption within interactions between businesses and state officials. It is assumed that excessive business regulations and a lack of transparency in policy related to the private sector, particularly regarding property rights and investment or business freedom, will inadvertently increase vulnerability to corruption. Most studies and indexes examining corruption fail to account for this important factor. For example, an excessive or inadequate regulatory system concerning the private sector will increase the likelihood of corruption. Thus, when a country has an effective business regulatory system that does not hinder operations, the country will be more resilient to corruption.

Components:

- Business regulation and property rights
- Regulatory environment
- Transparency in government policies impacting businesses

4. The Rule of Law

This indicator captures the quality of the rule of law, including the independence, fairness, and effectiveness of the judicial process and judiciary. In terms of the quality of the regulatory system, the indicator captures the perception of government capacities to devise and implement sound policies and regulations. The weaker the rule of law (and the regulatory system), the less resilience to corruption is expected.

Components:

- Judicial independence
- Separation of powers
- Criminal and civil justice

5. Security and Violence

This indicator captures violence and insecurity at the micro (perpetrated by non-state actors) and macro-level (perpetrated by state actors). The indicator also measures the level of organized crime in the region. It is assumed that violence and organized crime can reduce resilience against corruption. For example, organized crime syndicates seek to cultivate contacts within the government to influence decisions and manipulate the system in their favor. Thus, this indicator was included given the epidemic problem of organized crime groups in the Western Hemisphere.

Components:

- Political violence
- Social violence
- Organized crime

Strengths and Limitations

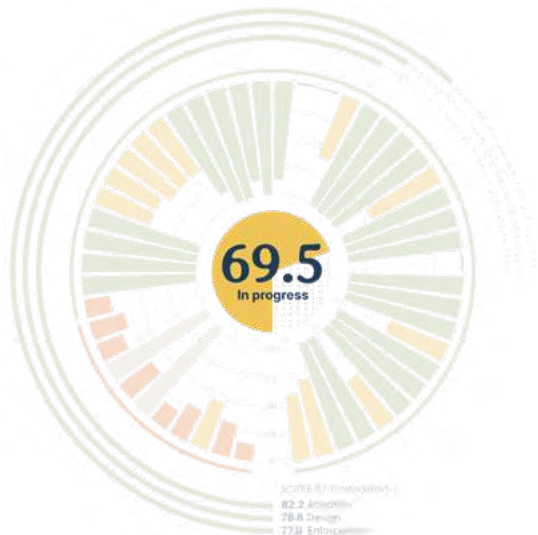
The CRS takes on a multidimensional assessment of the potential factors in the Western Hemisphere's potential factors that drive resilience to corruption, which is the major strength of the index. In that respect, the CRS accounts for the dyadic interaction between government-public sector interaction and government-private sector interaction and country-specific factors such as crime, organized crime, civil liberties, and media freedom. For example, the CRS composes an indicator that captures the interaction between government and business entities and business environment regulation, impacting the resilience against corruption. Brazil's Operacion Lava Jato, for example, clearly highlights this issue. The main limitation faced in the construction of the Index is the extent of missing values in the secondary data. This problem was resolved by using a multiple imputation approach which was discussed above.

05



HOW TO NAVIGATE WHACI

05. How to Navigate and Interpret WHACI

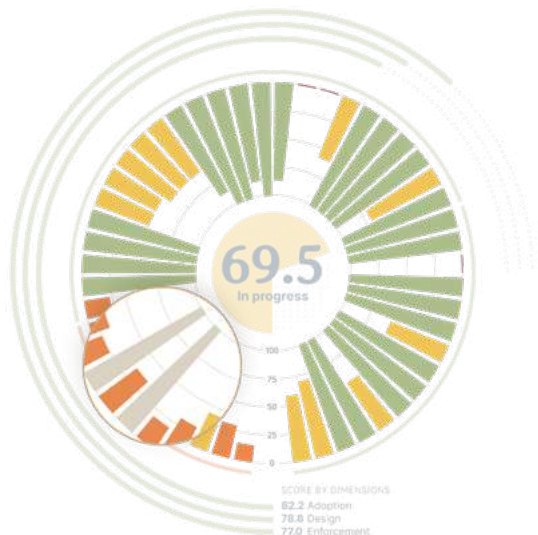
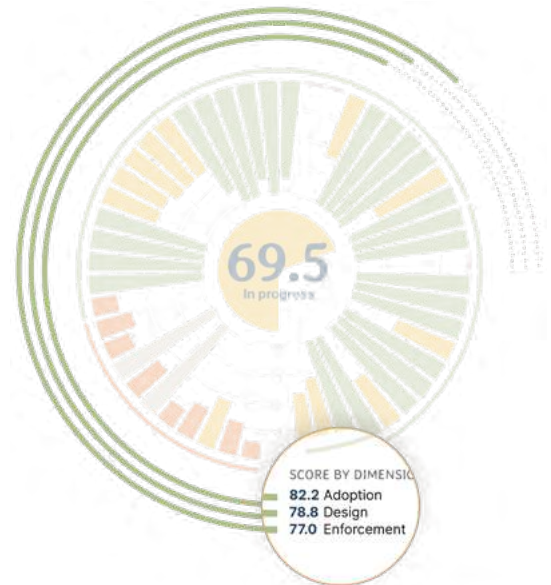


For any selected country, each gauge illustrates the status and score of several different facets of anticorruption initiatives. First, **the gauge depicts the overall Convention Implementation score and assigned status label within the center of the gauge.**

Each label is color coded (**Implemented**, **In-progress**, **Core-deficient**, and **Not Implemented**) to demonstrate the range that the CIS score—and the scores of individual measures it consists of—fall within.

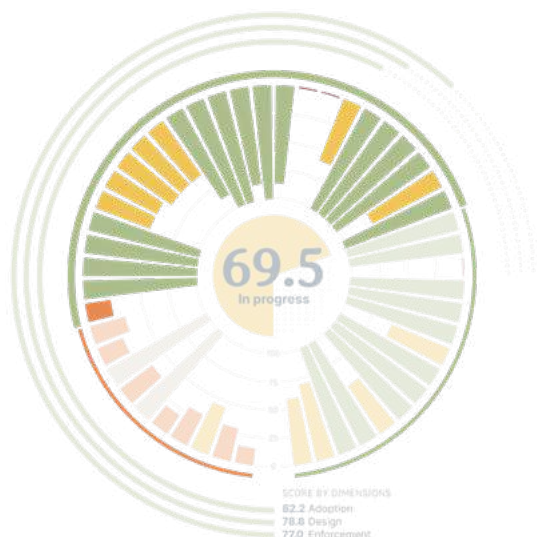
Dimensions

The general CIS score was created using the weighted average of three main implementation dimensions (**Adoption, Design, and Enforcement**) whose individual scores **are visualized within the overarching circles that outline the gauge.** The implementation dimension scores represent the ability of a States Parties' to bring anticorruption measures into practice.



Measures

The color coded bars within the gauge showcase the scores and status of paired provisions across the anticorruption Conventions (UNCAC, IACAC, and OECD-ABC), which were grouped into single measures (i.e., whistleblower protections). Each measure is categorized into one of three thematic sections (Preventive, Criminalization and Law Enforcement, or International Cooperation).



Thematic sections

The three thematic sections are illustrated as separate categories which **line the outer ring of the gauge**. Thematic sections can be viewed at-a-glance as depicted below, or they can be assessed by viewing individual measures. The outer rings are clickable groupings that summarize a country's score in implementing the provisions within the selected category (preventive, criminalization and law enforcement, and international cooperation).

However, they can also be viewed on the side panel which summarizes scores for sections and individual measures.



Each thematic section can also be broken down to showcase country-specific scores for individual measures (paired provisions which were grouped across the major anticorruption Conventions). **Users can click on the bars within the inner ring of the gauge to view a country's progress in numerous provisions** (i.e., the training of public officials within the thematic section of preventive measures).



06

CONVENTION IMPLEMENTATION: TRENDS AND ANALYSIS

06. Convention Implementation: Trends and Analysis

This section is dedicated to the analysis of the Convention Implementation Score (CIS) which captures the quality of the implementation of anticorruption conventions (UNCAC, IACAC, and OECD-ABC) through their corresponding review mechanisms (IRM, MESICIC, and OECD-MM) across 31 countries in the Western Hemisphere.

Their performance is evaluated on a regional and subregional scale to highlight significant gaps within several categories of anticorruption measures, namely in prevention, criminalization and law enforcement, and international cooperation. Each of these categories represents a number of overlapping provisions which were paired and matched across the major anticorruption conventions discussed above. The country scores reflect a cumulative value for each country's performance, throughout all rounds of review, across three main dimensions of implementation—adoption, design, and enforcement. Given the wide variety of circumstances that can impact implementation, the analysis examines key internal factors such as the rate of organized crime, economic development, and the control of corruption within a given country to gauge the impact of these phenomena on the implementation of anticorruption conventions in the Western Hemisphere.

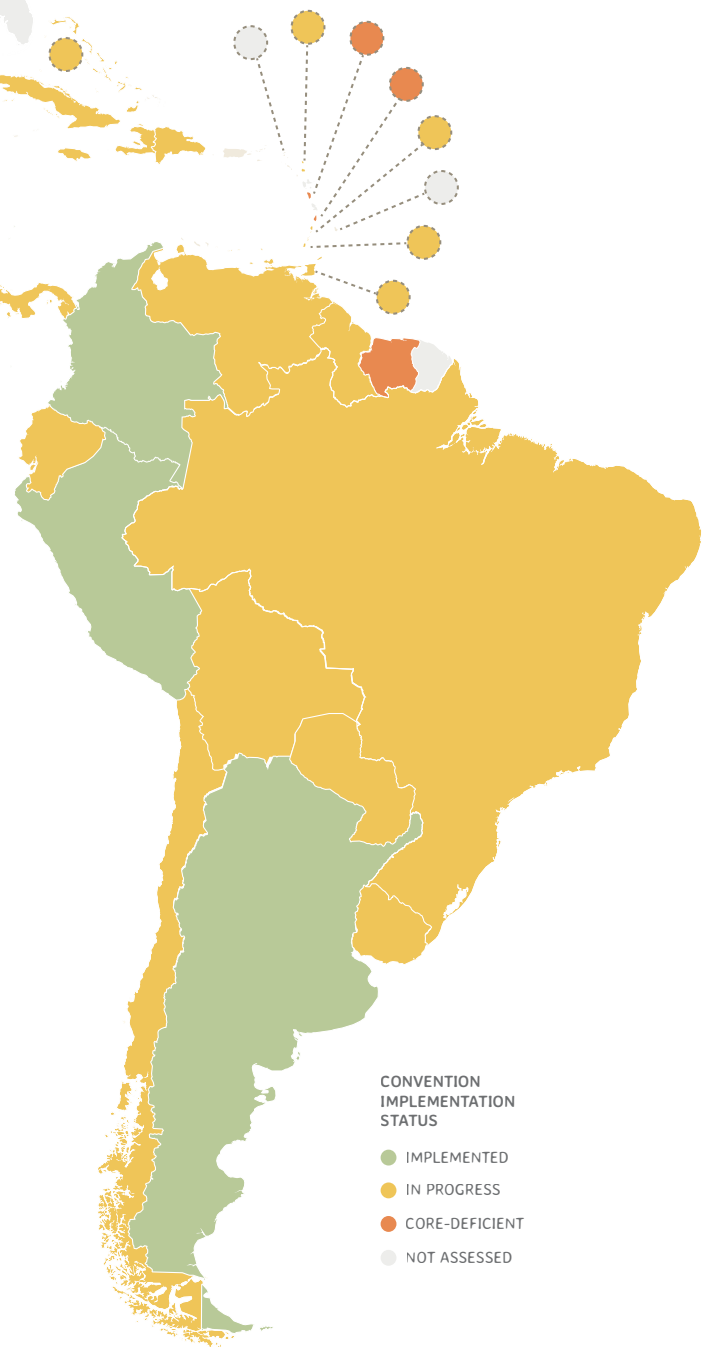


TABLE 6.1

SUMMARY OF THE CONVENTION IMPLEMENTATION SCORE (CIS)

COUNTRY	CIS	
ANTIGUA AND BARBUDA	69.5	In progress
ARGENTINA	75.2	Implemented
BAHAMAS	67.1	In progress
BELIZE	58.1	In progress
BOLIVIA	62.7	In progress
BRAZIL	69.8	In progress
CHILE	70.5	In progress
COLOMBIA	74.2	Implemented
COSTA RICA	76.3	Implemented
CUBA	69.3	In progress
DOMINICAN REPUBLIC	55.7	In progress
DOMINICA	38.4	Core-deficient
ECUADOR	65.1	In progress
EL SALVADOR	51.5	In progress
GRENADA	50.8	In progress
GUATEMALA	67.2	In progress
GUYANA	49.1	In progress
HAITI	58.2	In progress
HONDURAS	66.6	In progress
JAMAICA	65.1	In progress
MEXICO	69.7	In progress
NICARAGUA	67.9	In progress
PANAMA	63.5	In progress
PARAGUAY	60.8	In progress
PERU	72.3	Implemented
SAINT LUCIA	30.9	Core-deficient
ST. VINCENT & THE GRENADINES	46.7	In progress
SURINAME	31.7	Core-deficient
TRINIDAD AND TOBAGO	51.1	In progress
URUGUAY	66.1	In progress
VENEZUELA	61.0	In progress

Note: The indicators are normalized from 0 to 100; higher scores indicate better performance.

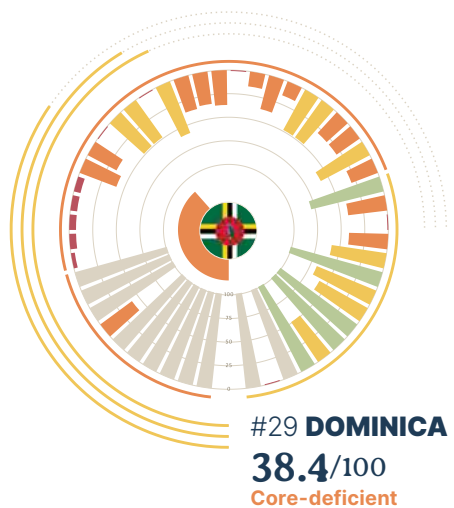
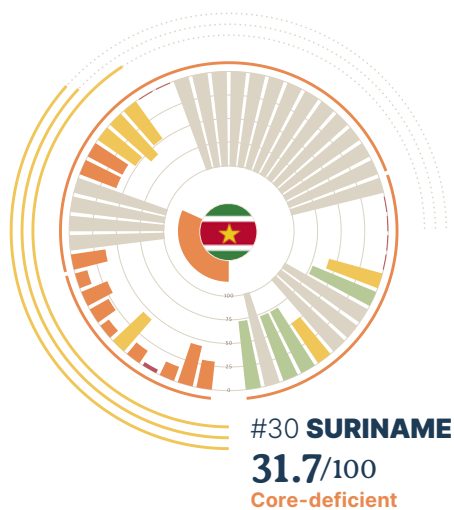
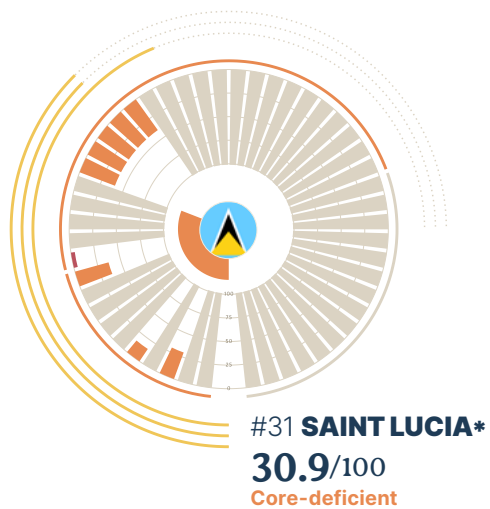
FIGURE 6.1

CONVENTION IMPLEMENTATION SCORE: TOP AND BOTTOM PERFORMERS

TOP COUNTRIES



BOTTOM COUNTRIES



The country acceded to UNCAC on 25 November 2011, but there is no available information concerning its participation in the review mechanism.

Costa Rica has implemented all measures mandated by the three anticorruption conventions and is in progress of implementing the corresponding recommendations. The country has a strong implementation record which particularly excels in the sphere of international cooperation (where it achieved a score of 85.9) and criminalization and law enforcement. Many factors contribute to Costa Rica's pioneering role in the implementation of anticorruption conventions, chief among these is good governance, a strong rule of law, and respect for political rights and civil liberties. Accordingly, the country's Corruption Resilience Score (CRS) for 2020 is among the top scores for the region (73.3).

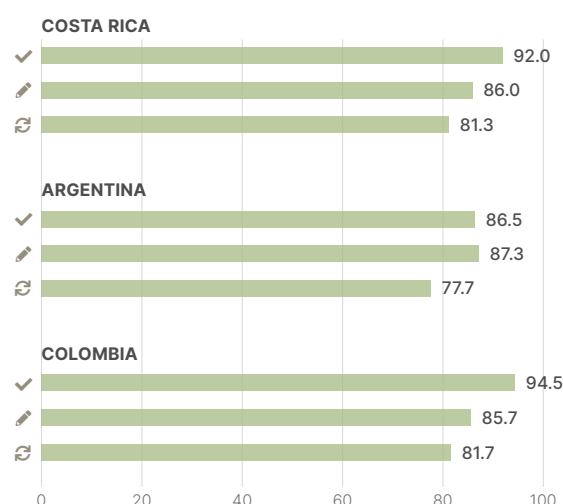
Argentina, the country with the second-highest CIS, is efficient in implementing convention-specific obligations and ranks among the top performing

countries within the region. In terms of international cooperation, Argentina implemented all measures except for technical cooperation and achieves a high score of 92.3. Unlike Costa Rica, fewer resilience-based factors contribute to Argentina's progress in implementation, as the country receives a moderate score (60.4) for the CRS in 2020. Colombia, the third top-ranking country, receives a score which reflects the country's commitments to the anticorruption conventions in criminalization, law enforcement, and international cooperation—over 77% of the obligations are successfully integrated into the country's frameworks. Like Argentina, Colombia has a moderately resilient CRS (52.3) for 2020. However, where Argentina falls short in the business stability indicator (47.4), Colombia's main obstacles are characterized by weaknesses in violence and security (38.9).

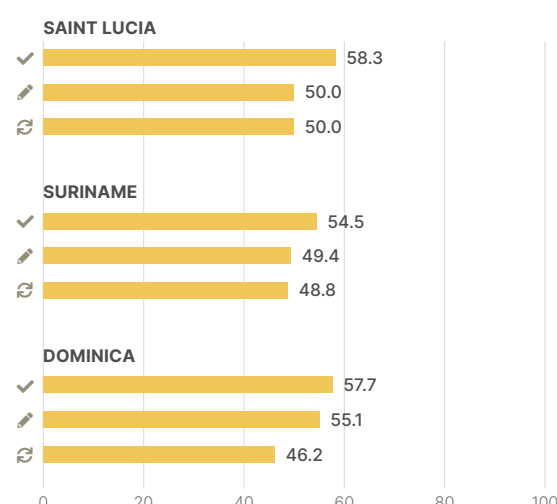
FIGURE 6.2

AVERAGE IMPLEMENTATION DIMENSIONS: TOP AND BOTTOM PERFORMERS, 2021

TOP COUNTRIES



BOTTOM COUNTRIES



Of the countries with the lowest CIS scores, Saint Lucia is the least efficient in implementing the anti-corruption conventions and commitments in the region. The country is consistently underperforming in areas of prevention, and criminalization and law enforcement, which remain deficient compared to its regional counterparts. Despite Saint Lucia's compliance with the anticorruption conventions' provisions, there are weaknesses in the design and/or enforcement of anticorruption measures. The country appears to have an effective legal and institutional system against corruption, but anticorruption goals are not sufficiently met.

Suriname is second-to-last in terms of convention implementation, and the country lags behind regional counterparts in prevention measures,

where it has yet to integrate asset and conflict of interest declarations. In the criminalization and law enforcement dimension, Suriname has not implemented measures against active foreign bribery and illicit enrichment, which limit effective international cooperation against corruption. Lastly, Dominica achieves the third-lowest score of convention implementation in the region, and this is largely attributed to deficiencies in implementing several key provisions across the dimensions of prevention and criminalization and law enforcement. However, there is some progress toward implementing measures for international cooperation.

TABLE 6.2
THEMATIC DIMENSIONS OF THE CONVENTION IMPLEMENTATION SCORE (CIS)

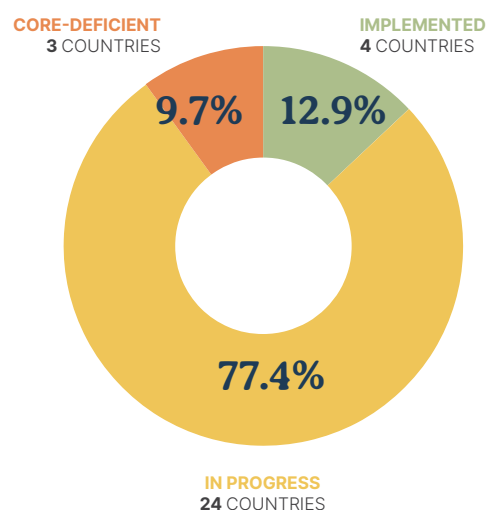
COUNTRY	PREVENTION	CRIMINALIZATION AND LAW ENFORCEMENT	INTERNATIONAL COOPERATION
ANTIGUA AND BARBUDA	28.0	75.3	82.1
ARGENTINA	53.1	73.8	92.3
BAHAMAS	45.5	66.8	82.0
BELIZE	42.7	59.1	66.8
BOLIVIA	41.7	65.6	71.9
BRAZIL	55.6	70.6	78.0
CHILE	56.0	77.3	68.9
COLOMBIA	60.8	77.9	77.0
COSTA RICA	64.0	75.6	85.6
CUBA	85.9	63.8	78.7
DOMINICA	40.6	26.7	60.9
DOMINICAN REPUBLIC	41.6	45.8	81.4
ECUADOR	55.6	60.0	80.1
EL SALVADOR	41.4	50.7	59.7
GRENADA	31.5	54.2	57.8
GUATEMALA	51.9	67.4	77.0
GUYANA	32.0	48.8	60.9
HAITI	28.9	66.1	60.5
HONDURAS	52.3	64.6	79.4
JAMAICA	50.8	70.5	65.7
MEXICO	65.4	63.9	82.2
NICARAGUA	55.9	69.7	73.0
PANAMA	34.4	69.8	72.3
PARAGUAY	39.8	62.9	71.2
PERU	53.7	70.5	87.6
SAINT LUCIA*	26.6	33.1	N/A
ST. VINCENT & THE GRENADINES	38.4	46.7	55.0
SURINAME	22.2	33.8	39.5
TRINIDAD AND TOBAGO	41.7	57.4	46.8
URUGUAY	52.9	65.9	75.2
VENEZUELA	44.6	62.1	67.7
AVERAGE	46.3	61.2	71.2

*The country also acceded to the UNCAC on November 25, 2011; however, there is no available information concerning its participation in its review mechanism.

Across the implementation dimensions (adoption, design, and enforcement) and their measures, some generalizable patterns emerged. According to the CIS data for 2020, the results from all three dimensions indicate that no country has fully achieved the implementation of the convention measures in adoption, criminalization, and enforcement of anticorruption provisions. Within the overall trend, seven countries illustrate the stark contrast between the highest and worst achievers within the region. On the high end of the spectrum, only four countries (Peru, Colombia, Argentina, and Costa Rica) have implemented the majority of convention-related commitments effectively and achieve CIS scores above 71.9. Conversely, the lowest tiers of achievement in anticorruption implementation are exemplified by the remaining three countries Saint Lucia, Suriname, and Dominica—all of which receive “core-deficient” scores below 43.7 points. The remaining 24 countries fluctuate in between both extremes and receive scores ranging from 43.8 to 71.8.

FIGURE 6.3
CONVENTION IMPLEMENTATION SCORES AND LABELS, 2020

LABEL	SCORE
● IMPLEMENTED	71.9~100
● IN PROGRESS	43.8~71.8
● CORE-DEFICIENT	9.4~43.7
● NOT IMPLEMENTED	≤ 9.3



In other words, the bottom and top halves of achievement—the best and worst scores—are categorized by 12.9% and 9.6% of the countries examined, respectively. Most Western Hemisphere countries, however, account for the remaining 77.4% and achieve rates of convention implementation that are “in-progress” of achieving Convention-related goals. In general, 36.83% of the countries in WHACI have fulfilled their commitment to the anticorruption conventions and nearly 36.62% are in progress as per their conformity with the anticorruption conventions. About 17.23% of the countries in WHACI experience a deficit in the design and/or enforcement of anti-corruption conventions’ provisions, rendering them inappropriate for the accomplishment of anticorruption goals and only 9.31% have not implemented the necessary measures. Simply put, most countries examined are working toward fulfilling convention-related commitments while an estimated 10% are failing to make sufficient progress.

On a narrower scale, each dimension reflects similar ranges of implementation across the Western Hemisphere region, but they are characterized by minute differences. For example, the dimension of adoption generally receives higher scores than design and enforcement. In a similar vein, the dimension of enforcement achieves the lowest scores on average (of all dimensions) and had the largest amount of missing information. In assessing the major Western Hemisphere trends within the dimensions, which are depicted in the table below, the top and bottom performers for adoption, design, and enforcement are identified. Colombia (94.5) and Dominica (57.7) represent the highest and lowest threshold for the dimension of adoption. Argentina (87.3) achieves the highest scores for the dimension of design, while Suriname (49.4) holds the lowest dimensional threshold. In terms of enforcement, Mexico receives the highest dimensional score (87.3) while the lowest score is exemplified by Dominica (46.2).

FIGURE 6.2

IMPLEMENTATION DIMENSIONS OF THE CONVENTION IMPLEMENTATION SCORE (CIS)

COUNTRY	ADOPTION	DESIGN	ENFORCEMENT
ANTIGUA AND BARBUDA	82.3	78.8	77.1
ARGENTINA	86.5	87.3	77.7
BAHAMAS	81.0	74.3	73.3
BELIZE	81.5	69.7	71.7
BOLIVIA	78.0	73.7	71.7
BRAZIL	90.5	80.7	76.7
CHILE	91.5	86.0	74.0
COLOMBIA	94.5	85.7	81.7
COSTA RICA	92.0	86.0	81.3
CUBA	79.5	76.5	76.5
DOMINICA	57.7	55.1	46.2
DOMINICAN REPUBLIC	73.5	65.0	69.0
ECUADOR	80.0	76.3	72.3
EL SALVADOR	71.0	64.0	65.7
GRENADA	66.0	63.0	62.3
GUATEMALA	87.0	78.7	77.0
GUYANA	66.5	64.0	56.7
HAITI	69.8	61.8	78.5
HONDURAS	82.5	73.3	83.0
JAMAICA	80.0	76.7	75.0
MEXICO	80.0	74.0	87.3
NICARAGUA	86.5	81.3	76.3
PANAMA	82.5	76.3	75.0
PARAGUAY	78.0	72.0	73.7
PERU	84.5	81.3	81.3
SAINT LUCIA*	58.3	50.0	50.0
ST. VINCENT & THE GRENADINES	74.1	71.4	51.8
SURINAME	54.5	49.4	48.8
TRINIDAD AND TOBAGO	63.0	60.3	64.7
URUGUAY	84.5	78.0	74.7
VENEZUELA	78.7	72.6	72.2
AVERAGE	77.9	72.4	71.1

Convention Implementation Regional and Subregional Findings

Moving beyond the general trends of the Western Hemisphere countries, subregional groupings illustrate a more detailed picture of how corruption presents and varies throughout the region. Each subregional group encompasses between eight to eleven countries, which are ranked based on their convention implementation scores for 2020. These scores are then averaged to present the status of convention implementation within the region. The three subregions consist of the Caribbean, South America, and Central America.¹ Based on the average conventional implementation scores, the subregion leading the fight against corruption in the Western Hemisphere is Central America (65.1); South America (63.2) and the Caribbean (54.8) are ranked in second and third place, respectively.

However, Central America also contains the fewest countries (8) within their grouping, while South America (12) and the Caribbean (11) are composed of a larger regional pairing. The South American subregion surpasses Central America with a higher concentration of top country scores. In South America, four countries (Argentina, Colombia, Peru, and Chile) receive scores of 70 or more, while in Central America only Costa Rica (76.3) receives a score of 70 or higher. Therefore, both regions are closely matched, but a greater number of South American countries are making significant and consistent strides in the implementation of anticorruption conventions.

FIGURE 6.2

CONVENTION IMPLEMENTATION SUBREGIONAL RANKING — CARIBBEAN, 2020

SOUTH AMERICA

#	COUNTRY	SCORE
1	ARGENTINA	75.2
2	COLOMBIA	74.2
3	PERU	72.3
4	CHILE	70.5
5	BRAZIL	69.8
6	URUGUAY	66.1
7	ECUADOR	65.1
8	BOLIVIA	62.7
9	VENEZUELA	61.0
10	PARAGUAY	60.8
11	GUYANA	49.1
12	SURINAME	31.7

CENTRAL AMERICA

#	COUNTRY	SCORE
1	COSTA RICA	76.3
2	MEXICO	69.7
3	NICARAGUA	67.9
4	GUATEMALA	67.2
5	HONDURAS	66.6
6	PANAMA	63.5
7	BELIZE	58.1
8	EL SALVADOR	51.5

CARIBBEAN

#	COUNTRY	SCORE
1	ANTIGUA AND BARBUDA	69.5
2	CUBA	69.3
3	BAHAMAS	67.1
4	JAMAICA	65.1
5	HAITI	58.2
6	DOMINICAN REPUBLIC	55.7
7	TRINIDAD AND TOBAGO	51.1
8	GRENADA	50.8
9	ST. VINCENT & THE GRENADINES	46.7
10	DOMINICA	38.4
11	SAINT LUCIA	30.9

The analysis reveals several priority areas where national efforts should be concentrated to improve the implementation of the major anticorruption conventions. On a broader scale, it is clear that the extent of economic development and organized crime

within a given country can impact the implementation process. However, the CIS scores also reveal trending deficiencies across preventative measures, the availability of information, whistleblower protections, and anticorruption efforts in the private sector.

¹ The regional groupings are based on a country's geographical location, although some political overlap may exist. For example, Suriname and Guyana are grouped within South America, which is geographically correct but culturally and politically arguable as both countries are part of the Caribbean Community—CARICOM.

In the subregional comparisons, greater deficits are identified within preventative measures than in international cooperation or criminalization and law enforcement. While some countries, such as Colombia and Mexico, hold relatively high scores within the dimension of prevention efforts, the entire Western Hemisphere region scored lower in prevention than any other measures. The data indicates an overall regional average of 46.6 in the implementation of preventative measures. From a subregional perspective, South America and Central America outperformed the Caribbean with 63% of South American countries and 65% of Central American countries progressing in the implementation of preventative measures required by the conventions. In

contrast, only 54% of countries in the Caribbean have done so (excluding Cuba). This can be explained by a variety of reasons. Preventative measures which are required by the conventions are complex structures that encompass a wide breadth of policies and in some cases, this may make their implementation harder for countries. The dimensional deficit may also be caused by the costly and long-term nature of prevention measures, which exceeds that of criminalization. Preventative measures take longer to implement, and this may cause fluctuations in the political will to implement them, as it takes longer to see concrete results. These results may also be difficult to interpret and use to establish a cause-and-effect relationship.

FIGURE 6.2

SUBREGIONAL PROGRESS IN THE IMPLEMENTATION OF ANTICORRUPTION CONVENTIONS, 2020

Similarly, significant regional gaps can be identified in the scope and extent of whistleblower protections. Countries within the Western Hemisphere receive consistently low (core-deficient) scores in this category. According to the CIS data for 2020, all Western Hemisphere countries receive scores below 50 with regard to whistleblower protections. This is a cause for concern, as whistleblower protections enable channels to report wrongdoing across both private and public sectors. These channels for safe reporting are necessary to maintain safe environments, promote accountability, and deter corruption. By strengthening whistleblower protections, institutions can foster a culture of accountability which influences societal norms and enhances integrity on a larger scale. Moreover, whistleblower protections can financially benefit countries and corporations alike, as there are many cases where whistleblowers have reported illegal activity that resulted in the recovery of millions of dollars.²

Another key deficit lies within the limited amount of information provided by countries in the Western Hemisphere. Several countries lack sufficient statistical data, and this broadly held true for data on the enforcement dimension. More specifically, there

was a noticeable lack of enforcement data on preventative corruption measures. Countries that had the largest gaps in statistical information (i.e., Saint Lucia), also receive the lowest implementation scores on regional and subregional levels. This discrepancy is problematic, as countries that prefer not to publish national statistics on corruption enforcement (or publicize information on non-trial resolutions) are difficult to assess in terms of anticorruption efficiency and progress made in combating corruption. Mitigating this limitation would require countries to improve their data collection methods and publish statistical information where gaps are identified.

Lastly, the CIS analysis reveals deficiencies across the Western Hemisphere countries in combating corruption within the private sector and in the criminalization of bribery. More specifically, countries struggle to consistently maintain transparency in government contracting. In turn, this limits the openness of public procurement systems, hinders trust between the public and national governments, and restricts access to information that could otherwise be utilized to prevent corruption in government procurement. Preventing and controlling corruption in the private sector hinges on the development of accounting

² Transparency International, "Whistleblowing," Transparency.org, n.d., <https://www.transparency.org/en/our-priorities/whistleblowing>.

standards and the criminalization of bribery. Some countries struggle to balance the confidentiality of information handled by accounting professionals and the obligation to report illicit activities discovered during their duties. Several countries do not explicitly require the use of licensed professionals in handling an organization's financial records. Similarly, efforts to criminalize bribery in the private sector are lacking, partially reflecting the gap in IACAC to address the issue. The reform agenda only grew to encompass

such policies with the adoption of the UNCAC and therefore, it remains a priority area for action. Targeting anticorruption efforts toward the private sector remains a relatively new global approach which is fraught with complications due to the nature of diverse markets and institutions across countries. Nevertheless, this approach is critically important for mitigating unfair competition and inflated costs, and maintaining transparent systems for public procurement, among other negative consequences.

Trends in Relationships to Other Factors

Economic Development

The CIS findings reveal a pattern which mirrors the countries' geopolitical importance. Smaller countries with fewer resources, such as Saint Lucia (30.9), Suriname (31.7), and Dominica (38.4), receive the lowest scores and larger, more influential countries, such as Costa Rica (76.3), Argentina (75.2), and Colombia (74.2), receive the highest scores in the region. Several factors may contribute to this disparity, such as a lack of resources, lower rates of economic output, or generally reduced levels of geopolitical influence within smaller countries. Conversely, countries which hold more weight on the global stage may receive higher scores due to a larger number of resources available and/or higher rates of economic output, which are then focused on domestic anti-corruption efforts.

A cross-tabulation between CIS, GDP per capita, and control of corruption shows that Central America has the highest level of convention implementation, whereas the Caribbean has the lowest level of implementation.³ For example, South America has a marginally higher GDP per capita (US \$16,264) than the Caribbean (US \$15,855) and the same is true for their implementation record—which exceeds the Caribbeans' by 8.41 points.⁴ As a result, it can be inferred that a country's economic means can impact their ability to implement the anticorruption conventions or meet convention-related obligations.⁵

In other words, a strong economy garners more geopolitical influence, produces greater resources, and propels development. In turn, this facilitates an advanced level of convention implementation. However, there are some exceptions to this finding. For example, when compared against South America and the Caribbean, Central America achieves higher levels of convention implementation but significantly lower amounts of GDP per capita. Therefore, while it is safe to assume that the economy does impact the implementation of anti-corruption conventions, it is not a deciding factor in whether countries achieve the implementation of the anticorruption conventions.⁶

FIGURE 6.2
SUBREGIONAL CIS AND GDP PER CAPITA, 2020

REGIONS	CIS	GDP PER CAPITA ((USD	CONTROL OF CORRUPTION
CENTRAL AMERICA	65.1	\$12,680.05	38.57
SOUTH AMERICA	63.2	\$16,264.51	45.35
CARIBBEANS	54.8	\$15,855.25	52.53

Source: World Bank Data, GDP per capita, PPP (current international \$). There are no data available for Cuba and Venezuela.

The World Bank Governance Index (2021) – control of corruption. The indicators are normalized from 0 to 100, with 0 denoting worst performance and 100 denoting optimal performance. The Western Hemisphere control of corruption average for 2020 is 47.05.

3 The control of corruption variable measures perceptions of corruption in both petty and grand forms and state capture by elites and private interests. The control of corruption scores were retrieved from the World Bank's World Governance Indicators (2021) normalized from 0-100 for the CIS analysis, and can be found here <https://databank.worldbank.org/source/worldwide-governance-indicators>.

4 The correlation coefficient for CIS and GDP per capita was (.138).

5 To give a comprehensive measure of economic output that accounts for the population, GDP per capita was used instead of GDP. This was particularly important as the population of Western Hemisphere countries varies significantly.

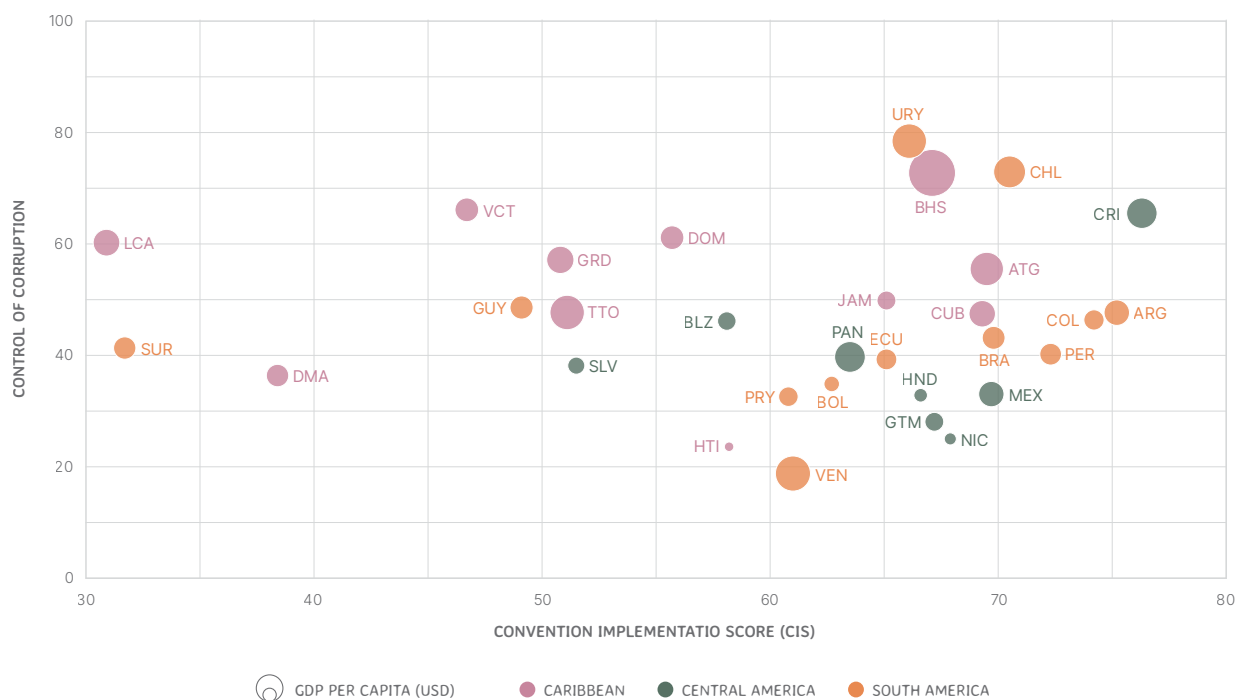
6 The regression analysis between CIS (dependent variable) and GDP per capita (independent variable) showed results that were not statistically significant.

Control of Corruption

The relationship between the implementation of anticorruption conventions and the control of corruption within Western Hemisphere countries may seem relatively straight forward. As countries progress toward achieving their commitments in implementation, their control of corruption should increase alongside their efforts. However, this is not always the case and the relationship between implementation and the control of corruption is rather inverted.

For instance, countries like Saint Lucia and Dominica (and to a lesser extent, Suriname) who have a moderate control of corruption, fail to achieve high ranks in convention implementation.⁷ If they are removed from the analysis, the positive relationship where progress toward implementation reflects in a country's control of corruption, becomes clearer albeit weak.⁸ Generally, this change in direction indicates that as a country's convention implementation score increases, their control of corruption also grows gradually. In other words, this means that the implementation of anticorruption conventions does not necessarily equate to better control of corruption. Empirically detecting gaps within national frameworks, responding to them with the appropriate measures, and seeing the results come to fruition is a gradual process which takes time to be realized.

FIGURE 6.2
CONTROL OF CORRUPTION AND CIS



Source: World Bank's Worldwide Governance Indicators (2021) for the control of corruption indicator.⁹

⁷ The correlation between CIS and control of corruption is weak and negative (-.085).

⁸ After removing the outliers, the direction of the relationship between the variables turns positive (.064).

⁹ The World Bank's Worldwide Governance Indicators (2021) control of corruption indicator can be found here <https://databank.worldbank.org/source/worldwide-governance-indicators>.

Uruguay, Costa Rica, and Chile have successfully met their commitments to the anticorruption conventions, and their control of corruption scores clearly reflect that. Between 2010 and 2020, all three countries improved their control of corruption scores, while Costa Rica and Uruguay both experienced 1.36 and 2.87-point increases, respectively. On the opposite end of the performance scale, Venezuela, Paraguay, and Nicaragua all have low control of corruption, but they achieve moderate to high scores for convention implementation. Interestingly, Venezuela had implemented most of its convention commitments before the breakdown of its democracy in 2017. The same scenario—where steps were taken to strengthen convention implementation prior to a period of democratic breakdown or backsliding—applies to Nicaragua. This inverted relationship between the control of corruption and CIS (as the CIS increases, control of corruption decreases) demonstrates that in some cases, implementation may only serve as a superficial display of anticorruption efforts. In cases like these, efforts toward implementation act as a placeholder or facade and fail to generate tangible progress in combating corruption at the national level.

When convention implementation scores and the control of corruption are examined at a sub-regional level, the findings reveal divergent trends. In all cases, convention implementation and the control of corruption are interrelated. However, in South and Central America, convention implementation scores and greater control of corruption increase in tandem (alongside one another) for both regions.¹⁰ In the Caribbean, the opposite was true; as the control of corruption increased the implementation score weakened.¹¹ Interestingly, despite having the lowest level of convention implementation, the Caribbean has better control of corruption than its subregional counterparts, with an average of 52.53. Alternatively, the higher control of corruption and the lower geopolitical significance of those territories may combine to decrease pressure for compliance with international anticorruption conventions. This possibility is highlighted by their lack of effort in collecting data and limited engagement with review mechanisms.

Organized Crime

Although the relationship between organized crime and corruption remains understudied, there is sufficient research across the field to demonstrate the fundamental linkages between the two phenomena.¹² Neither is mutually exclusive or isolated, and there is ample circumstantial evidence of frequent coordination between organized criminals and corrupt politicians at any level of government. Criminals can gain protection from government officials, influence political choices, and penetrate governmental structures and legal businesses through bribery or other forms of corruption. These opportunities are minimized when the necessary safeguards (i.e., preventative measures, international cooperation, and law enforcement against corruption) are strengthened or integrated into national frameworks, particularly those encoded within the anticorruption conventions.

To gauge the accuracy of this assumption, a Pearson correlation was conducted between the CIS and the criminality scores for countries in the Western Hemisphere. The data was procured from the Global Organized Crime Index and the correlation showed significant findings that indicate a negative relationship.¹³ In other words, the greater the implementation of the anticorruption conventions, the lower the level of criminal activity.¹⁴ To examine the relationship further, the following regression analysis was conducted:

CIS = 74.91 – 2.95 (Criminal Activity) with a p-value of .05.

¹⁰ The correlations are found to be positive for each region; South America at (.199) and Central America at (.235).

¹¹ The two variables move in the opposite direction and the correlation was negative (-.202).

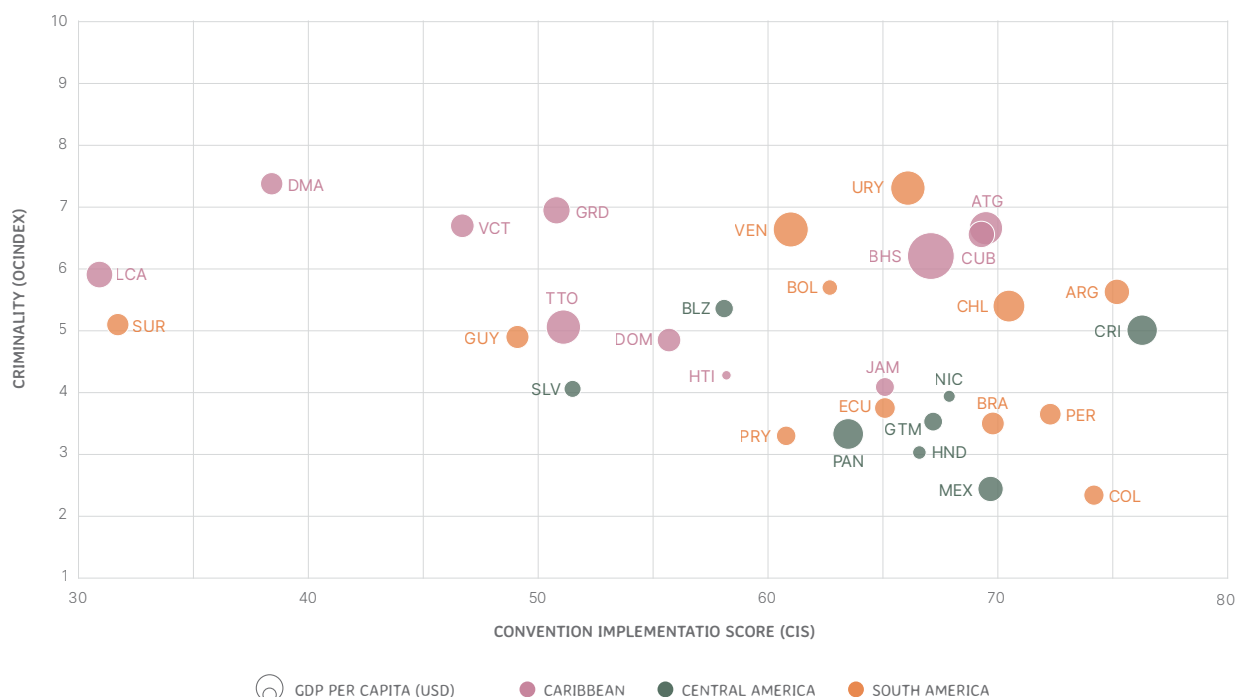
¹² Buscaglia, Edgardo, Controlling Organized Crime and Corruption in the Public Sector. Forum on Crime and Society, Vol. 3, Nos. 1/2, December 2003, <https://ssrn.com/abstract=931046>.

¹³ The criminality score ranges from 1 to 10, where 10 indicates the highest presence of organized crime. To better analyze the criminality score with the CIS, the score was flipped, where 1 indicates the worst and 10 best outcomes in terms of criminality.

¹⁴ In running the Pearson correlation, the coefficient was significant and negative (0.355).

Thus, the results indicate that the implementation of anticorruption conventions increases in a country by 2.95 when there is a 1-unit decrease in criminal activity. The relationship between countries' level of anticorruption convention implementation and organized crime is significant and negative. These regression results further support the hypothesis that organized crime is an impediment to the implementation of anticorruption conventions. In simpler terms, countries that have higher levels of organized crime achieve less progress in the implementation of anticorruption conventions. Therefore, lower levels of criminal activity (e.g., drug trafficking, trafficking in persons, wildlife crime, money laundering, etc.) contribute to an environment that is more conducive to the implementation of anticorruption conventions.

FIGURE 6.2
CIS AND ORGANIZED CRIME



Source: The criminality score derives from the Global Organized Crime Index (2021).¹⁵

Moreover, the relationship between the CIS and drug trade was moderate and negative.¹⁶ The results of a regression analysis between the two variables indicate that anticorruption convention implementation increased by 4.196 when drug trafficking declined. The drug trade variable included cocaine, heroin, cannabis, and synthetic drug markets. The results are statistically significant (P-value = .025).¹⁷

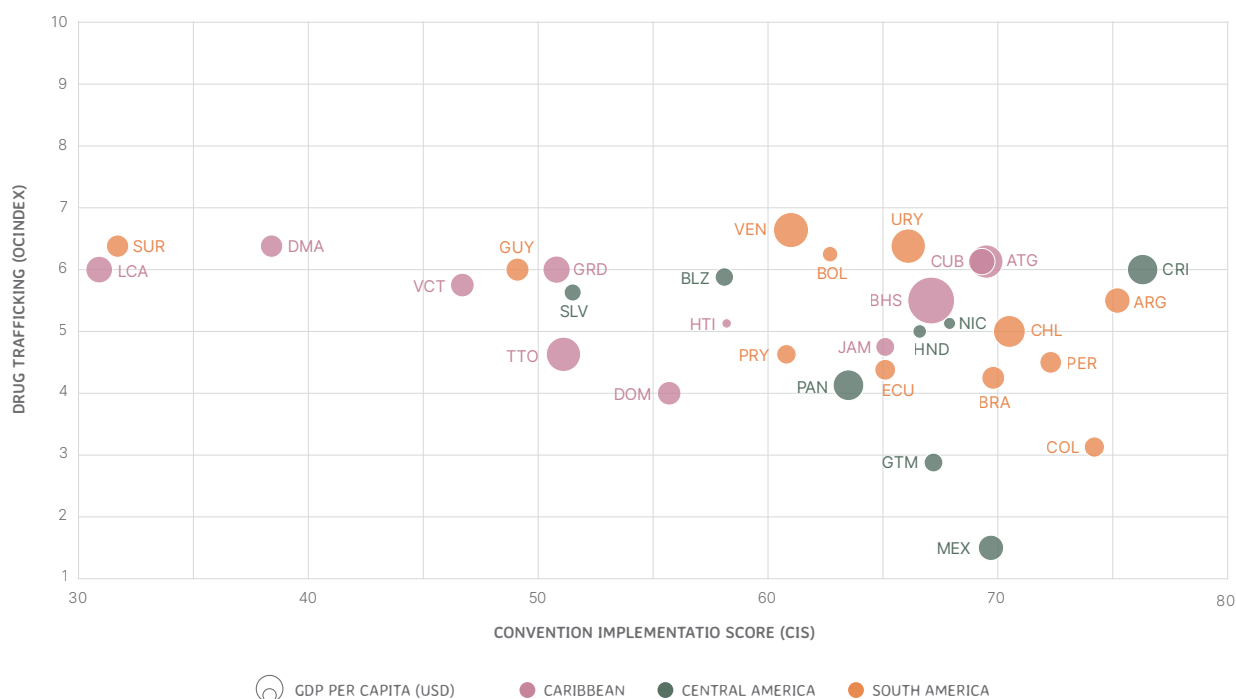
¹⁵ The Global Organized Crime Index (2021) criminality scores can be found here <https://ocindex.net/>.

¹⁶ The correlation was moderate and negative (-.401).

¹⁷ The Pearson correlation was significant at the 0.05 level (2-tailed test) and conducted for all 31 Western Hemisphere countries in 2020.



FIGURE 6.2
CIS AND DRUG TRAFFICKING



Source: The variable for drug trafficking derives from the Global Organized Crime Index (2021).¹⁸

Based on this analysis, it could be inferred that organized crime groups benefit substantially from corruption, particularly groups that engage in money laundering. For example, organized crime groups benefit from corruption by bribing state and local officials, customs, tax authorities, the courts, and police officials. In addition, organized crime groups may even infiltrate governments by running for public offices or attaining top positions within the public sector. In Honduras, for example, Bonilla Valladares used his high-ranking position with the Honduran National Police to facilitate cocaine trafficking in exchange for bribes.¹⁹ Thus, organized criminal groups may view anticorruption measures as a threat to their interests and this can incentivize attempts to slow down or stunt meaningful anti-corruption measures. This is particularly important for organized crime groups engaged in drug trafficking and trafficking in persons, which significantly limit state capacities to achieve the implementation of anticorruption conventions.

Lastly, the connection between organized crime groups and political parties is evident in several Western Hemisphere countries. In 2019, presidential candidate Mario Estrada was arrested by the Drug Enforcement Administration (DEA) in the United States for conspiring with the Sinaloa Cartel in return for financing his campaign efforts. Estrada pleaded guilty to participating in a drug trafficking conspiracy, in which he agreed to facilitate the transportation of the cartel's drug shipments from Guatemalan ports if he won the elections.²⁰

18 The Global Organized Crime Index (2021) drug trade data can be found here <https://ocindex.net/>.

19 Department of Justice, "Former Chief Of Honduran National Police Charged With Drug Trafficking And Weapons Offenses," Press Releases, April 30, 2020, <https://www.justice.gov/usao-sdny/pr/former-chief-honduran-national-police-charged-drug-trafficking-and-weapons-offenses>.

20 Department of Justice, "Mario Estrada, Former Guatemalan Presidential Candidate, Sentenced To 15 Years In Prison In Connection With Scheme To Import Tons Of Cocaine Into The United States," Press Releases, February 11, 2020, <https://www.justice.gov/usao-sdny/pr/mario-estrada-former-guatemalan-presidential-candidate-sentenced-15-years-prison>.

07





CORRUPTION RESILIENCE: TRENDS AND ANALYSIS

07. Corruption Resilience: Trends and Analysis

The focus of this section is to present the major trends in corruption resilience, based on WHACI's Corruption Resilience Score (CRS), that have taken place over the last decade and throughout regional and subregional levels in the Western Hemisphere.

The five CRS indicators represent the key factors which build or erode governments' anticorruption resilience. These indicators are observable measures of: (1) the social context (societal conditions which make a country resilient to corruption); (2) the quality of government (quality of state institutions and policies); (3) business stability; (4) the rule of law; and (5) the state of security and violence. When a country strengthens civil liberties and political rights, media freedom, a strong rule of law, effective bureaucratic and regulatory systems, controls on corruption, effective anti-corruption measures, and controls of violence and crime, it becomes more resilient in fighting corruption. Conversely, when a country has deficits in any of these areas, the risk of corruption will increase.

CORRUPTION RESILIENCE STATUS

- RESILIENT
- MODERATELY RESILIENT
- VULNERABLE
- NOT ASSESSED

TABLE 7.1

COUNTRY PERFORMANCE ACROSS CORRUPTION RESILIENCE INDICATORS, 2020

COUNTRY NAME	SOCIAL CONTEXT	QUALITY OF GOVERNMENT	RULE OF LAW	BUSINESS STABILITY	VIOLENCE AND SECURITY
ANTIGUA AND BARBUDA	73.2	53.6	69.8	55.1	76.8
ARGENTINA	72.6	60.9	58.9	47.4	62.2
BAHAMAS	86.8	52.7	60.2	49.9	59.9
BELIZE	74.5	48.0	49.1	45.1	50.7
BOLIVIA	59.9	48.4	35.3	30.7	45.1
BRAZIL	68.4	51.5	58.1	51.1	76.2
CHILE	80.1	75.5	78.2	66.3	46.4
COLOMBIA	58.5	53.4	48.3	62.2	38.9
COSTA RICA	88.5	71.4	74.6	59.6	72.4
CUBA	18.4	38.5	37.9	39.1	55.8
DOMINICA	84.9	51.2	68.8	57.5	45.0
DOMINICAN REPUBLIC	63.0	53.7	43.2	49.2	73.6
ECUADOR	59.0	47.5	47.7	39.5	66.7
EL SALVADOR	61.6	58.3	46.7	49.2	47.7
GRENADA	77.7	52.7	66.4	56.0	75.3
GUATEMALA	46.3	33.5	30.6	52.2	42.1
GUYANA	65.4	50.4	53.3	47.7	67.6
HAITI	39.8	27.5	29.9	32.9	45.5
HONDURAS	45.3	36.5	31.6	48.3	48.5
JAMAICA	77.1	57.4	58.6	62.4	38.8
MEXICO	54.4	47.8	41.3	58.1	30.8
NICARAGUA	31.6	28.2	28.0	42.1	31.1
PANAMA	76.0	55.2	46.6	58.7	70.2
PARAGUAY	61.3	52.8	41.8	51.5	63.7
PERU	64.5	54.7	49.1	59.1	42.1
SAINT LUCIA	83.4	57.4	70.7	61.6	54.9
SAINT VINCENT & GRENADINES	85.4	59.6	66.3	58.5	71.9
SURINAME	70.0	45.3	47.3	39.9	52.6
TRINIDAD AND TOBAGO	73.1	57.2	56.6	53.6	61.9
URUGUAY	90.0	76.3	77.8	64.4	79.7
VENEZUELA	20.8	12.7	12.7	17.7	12.2

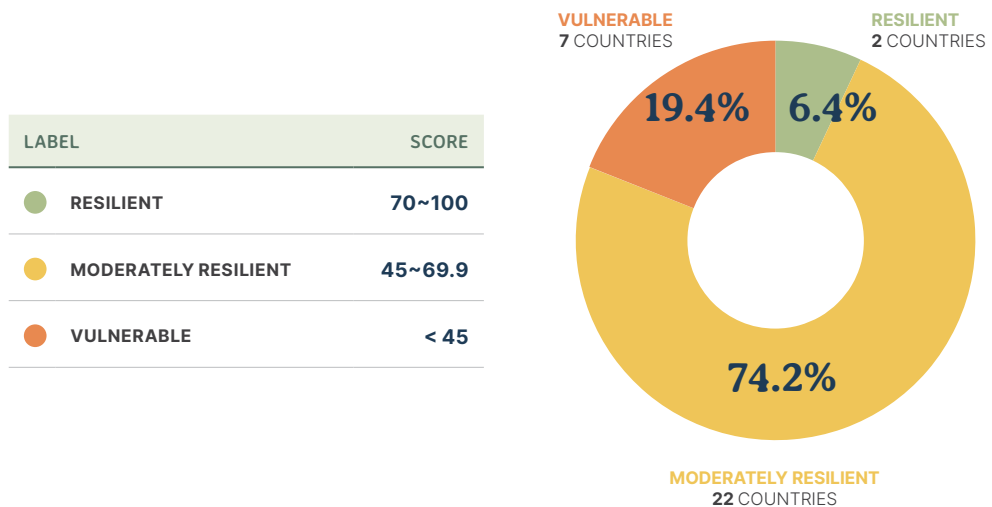
Note: The indicators are normalized from 0 to 100, with 0 denoting worst performance and 100 denoting optimal performance. Green indicates the highest scores, and red indicates the lowest scores.

General Performance Trends

The CRS findings reveal some shared commonalities between top and bottom performers. The most resilient countries respect political and civil rights, maintain media freedoms and protections, and uphold the rule of law impartially. When open communication and expression are an integral part of a country's social fabric, the opportunities for corruption to take root weaken. Similarly, if countries fail to uphold a strong rule of law, they become less resilient and more susceptible to corruption. To better understand these changes and the corresponding fluctuations in country scores, each of the 31 countries are assigned labels that identify their resilience—or lack thereof. The highest performing countries, which earn corruption resilience scores between 70-100 make up the top percentile for the region and are designated 'resilient'. Countries that achieve a CRS between 45-69 are deemed moderately resilient, while those who rank below a score of 45 are assigned the label 'vulnerable' to reflect their status.

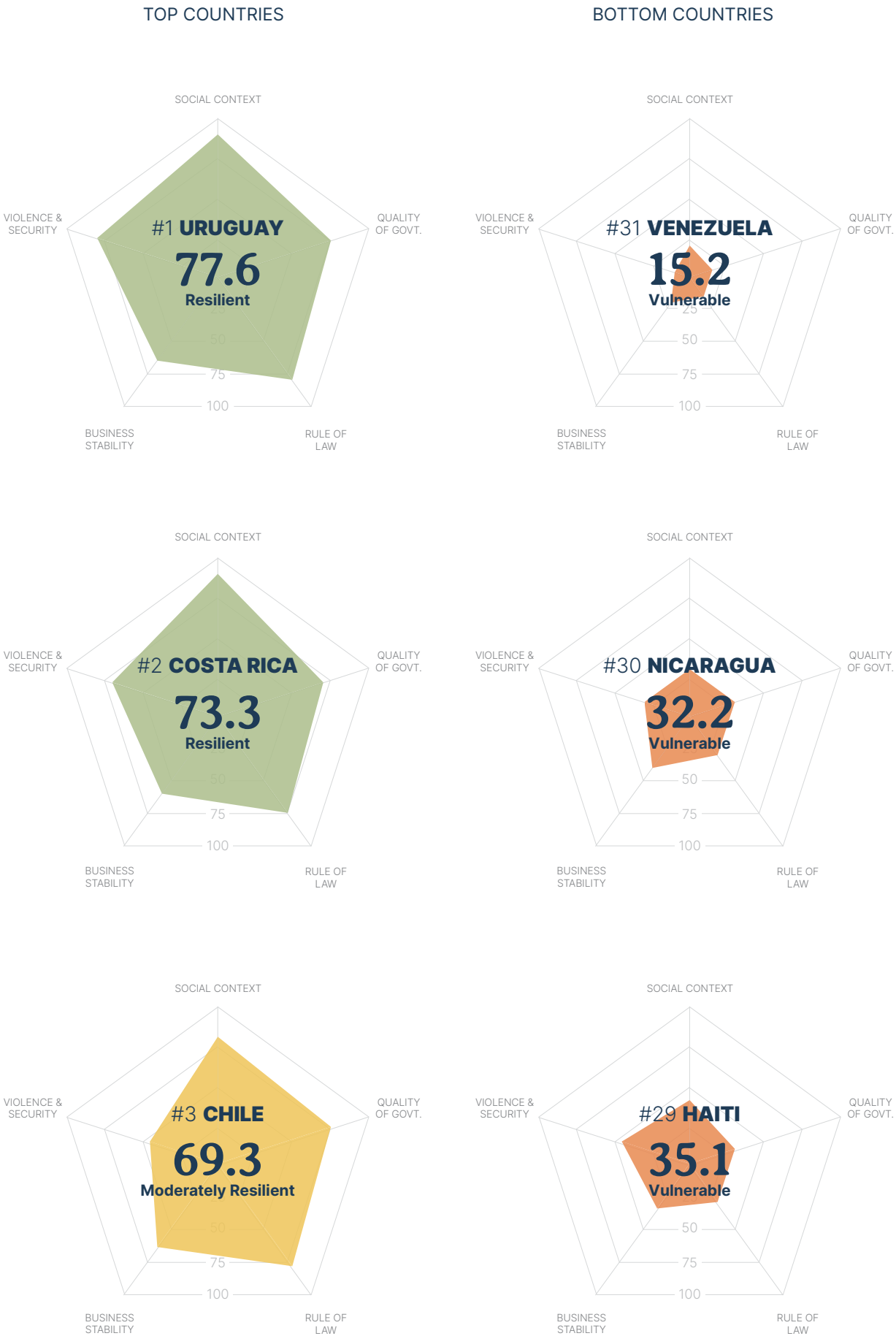
According to the 2020 CRS results, an estimated six percent—only two countries of all 31 examined—show high levels of corruption resilience. In contrast, a fifth of countries show concerning levels of susceptibility to corruption, with 19% (six countries) achieving the lowest CRS scores. The remaining majority—74% of Western Hemisphere countries—fall below the two extremes and earn moderately resilient scores.

FIGURE 7.1
CORRUPTION RESILIENCE SCORE (CRS) LABELS, 2020



Across the 2020 CRS findings and among all 31 countries, the results indicate that Uruguay has the highest rates of resilience against corruption in the Western Hemisphere. Uruguay's resilience to corruption is mainly attributed to its top scores in the social context indicator, quality of government, the rule of law, control of violence and security, and to a lesser extent, the anti-corruption review and business stability indicators. The top performing country, alongside its regional counterparts Costa Rica and Chile, holds the highest overall resilience scores. On the opposing end, Venezuela, Nicaragua, and Haiti's CRS scores are the lowest among the Western Hemisphere countries and remain the most susceptible to corruption. Among this grouping, Venezuela is particularly vulnerable to corruption, as the country ranks last in all five indicators (except the social context indicator, where Venezuela ranks second-to-last) across 31 countries.

FIG 7.2
CORRUPTION RESILIENCE TOP AND BOTTOM PERFORMERS, 2020



Subregional Ranking

On a local scale, the Caribbean outranked Central and South America as the region most resilient to corruption in the Western Hemisphere. Except for Cuba and Haiti, Caribbean countries have the necessary safeguards in place to protect their national governments from the risks posed by corruption. Saint Vincent and the Grenadines and Saint Lucia had particularly high scores, while the findings for Haiti, Cuba, and the Dominican Republic revealed high rates of vulnerability. The South American subregional average fell in between the top and bottom performers. Although the country with the highest Western Hemisphere scores (Uruguay) is grouped within the subregion, and along with Chile established significant safeguards against corruption; the vulnerabilities of Ecuador, Bolivia, and Venezuela weighed more heavily on the group and remain a cause for concern.

In contrast, the Central American subregion is found to be the most vulnerable to corruption. Honduras, Nicaragua, and Guatemala in particular, suffered from extreme vulnerabilities in the rule of law, democratic backsliding, violence and security challenges, and severe restrictions on civil liberties and political rights. The lowest-scoring countries of Central America, unlike its subregional counterparts, lacked the necessary safeguards to bolster resilience. Among the Central American countries, only Costa Rica, Panama, and Belize hold scores that reflect resilience.

TABLE 7.3
CORRUPTION RESILIENCE RANKING, 2020

#	COUNTRY	CRS
1	URUGUAY	77.6
2	COSTA RICA	73.3
3	CHILE	69.3
4	SAINT VINCENT & GRENADINES	68.3
5	ANTIGUA AND BARBUDA	65.7
6	GRENADA	65.6
7	SAINT LUCIA	65.6
8	BAHAMAS	61.9
9	DOMINICA	61.5
10	PANAMA	61.3
11	BRAZIL	61.1
12	TRINIDAD AND TOBAGO	60.5
13	ARGENTINA	60.4
14	JAMAICA	58.8
15	GUYANA	56.9
16	DOMINICAN REPUBLIC	56.5
17	PARAGUAY	54.2
18	PERU	53.9
19	BELIZE	53.5
20	EL SALVADOR	52.7
21	COLOMBIA	52.3
22	ECUADOR	52.1
23	SURINAME	51.0
24	MEXICO	46.5
25	BOLIVIA	43.9
26	HONDURAS	42.1
27	GUATEMALA	41.0
28	CUBA	37.9
29	HAITI	35.1
30	NICARAGUA	32.2
31	VENEZUELA	15.2

TABLE 7.4
CORRUPTION RESILIENCE SUBREGIONAL RANKING, 2020

SOUTH AMERICA

#	COUNTRY	SCORE
1	URUGUAY	77.6
2	CHILE	69.3
3	BRAZIL	61.1
4	ARGENTINA	60.4
5	GUYANA	56.9
6	PARAGUAY	54.2
7	PERU	53.9
8	COLOMBIA	52.3
9	ECUADOR	52.1
10	SURINAME	51.0
11	BOLIVIA	43.9
12	VENEZUELA	15.2

CENTRAL AMERICA

#	COUNTRY	SCORE
1	COSTA RICA	73.3
2	PANAMA	61.3
3	BELIZE	53.5
4	EL SALVADOR	52.7
5	MEXICO	46.5
6	HONDURAS	42.1
7	GUATEMALA	41.0
8	NICARAGUA	32.2

CARIBBEAN

#	COUNTRY	SCORE
1	ST. VINCENT & GRENADINES	68.3
2	ANTIGUA AND BARBUDA	65.7
3	GRENADA	65.6
4	SAINT LUCIA	65.6
5	BAHAMAS, THE	61.9
6	DOMINICA	61.5
7	TRINIDAD AND TOBAGO	60.5
8	JAMAICA	58.8
9	DOMINICAN REPUBLIC	56.5
10	CUBA	37.9
11	HAITI	35.1

Trends by Indicator

Social Context

The social context indicator measures civil liberties, political rights, and media freedom within a country. When civil liberties and political rights are guaranteed and respected, a country becomes more resilient in curbing corruption; thereby, the opportunities for corruption to take root weaken. The same can be said for media freedom, where an independent press is vital to control government malfeasance and serves as an important external mechanism to prevent corruption in government and private sectors.

To further examine the strength of the relationship between the control of corruption and the social context indicator, a Pearson correlation was conducted.¹ The results demonstrate that the strength of the rule of law enhances countries resilience against corruption.

TABLE 7.5
SOCIAL CONTEXT INDICATOR: TOP AND BOTTOM PERFORMERS, 2020

#	COUNTRY	CRS
1	URUGUAY	90.0
2	COSTA RICA	88.5
3	BAHAMAS	86.8

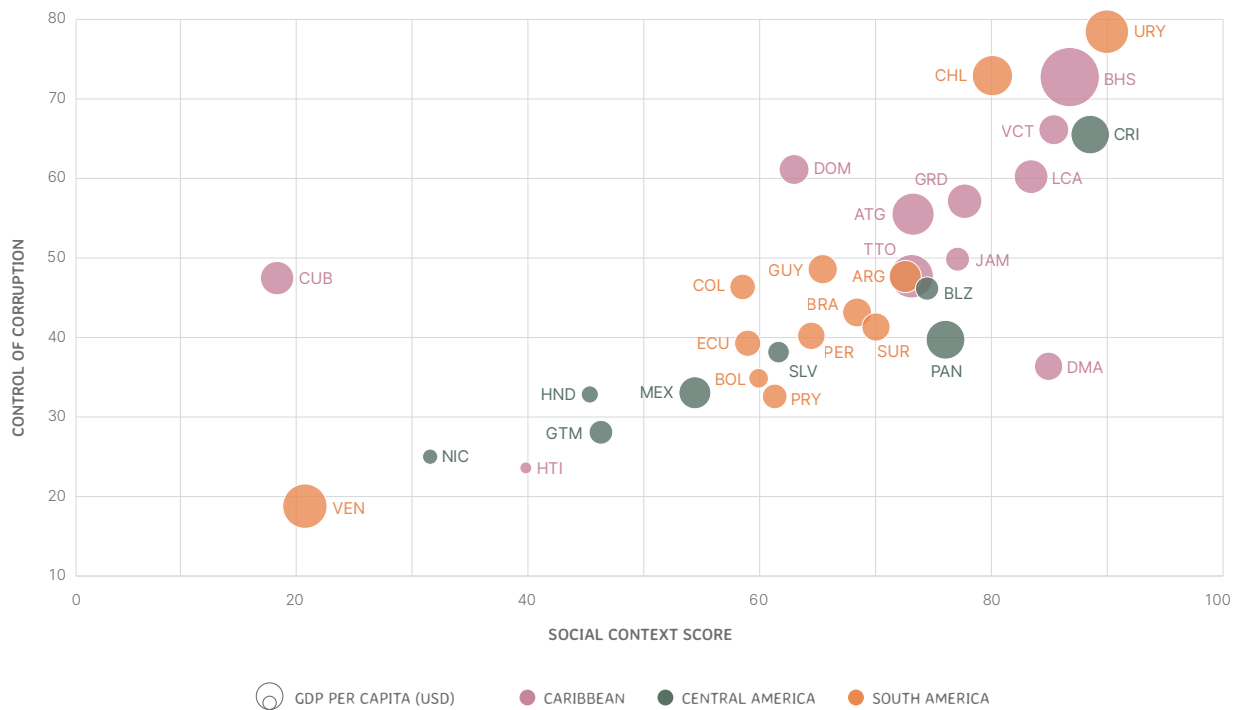
#	COUNTRY	CRS
31	CUBA	18.4
30	VENEZUELA	20.8
29	NICARAGUA	31.6

¹ The Pearson correlation was found to be significant at the 0.01 level (2-tailed test). The coefficient was significant and positive at (0.921) and was conducted for all 31 Western Hemisphere countries in 2020.

Uruguay is the top performing country in the social context indicator, alongside Costa Rica in second place and the Bahamas in third. The lowest-scoring countries, Cuba, Venezuela, and Nicaragua were all characterized as either moderate (Nicaragua) or hardline autocracies (Cuba, Venezuela). Therefore, low scores regarding civil liberties, political rights, and media freedom, were expected. In other words, the greater political rights, civil liberties, and media freedom in a country, the more likely it is that a country has control of corruption. The results indicate that when civil liberties, political rights, and media freedom are ensured, a country will be more resilient in the fight against corruption.

A closer examination of the time-series graphs for the social context indicator reveals that the top four countries have consistently performed well over the last decade. In contrast, the bottom four countries have experienced major changes to their scores. For example, Venezuela's score dropped by nearly 20 points over the decade, and this was largely attributed to the gradual deterioration and eventual breakdown of its democracy. Similarly, in Nicaragua, the gradual breakdown of democracy has had a negative effect on the country's score. One example of this is the Ortega administration's heavy-handed response to protestors that demanded social and political change in 2018.

FIGURE 7.2

CONTROL OF CORRUPTION AND SOCIAL CONTEXT INDICATOR, 2020

Source: World Bank's Worldwide Governance Indicators (2021) for the control of corruption indicator.²

² The World Bank's Worldwide Governance Indicators (2021) control of corruption indicator can be found here <https://databank.worldbank.org/source/worldwide-governance-indicators>.

FIGURE 7.3
SOCIAL CONTEXT INDICATOR: TOP PERFORMERS (2010–2020)

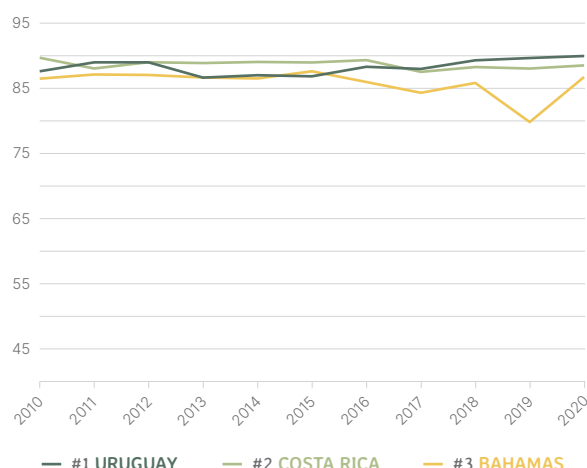
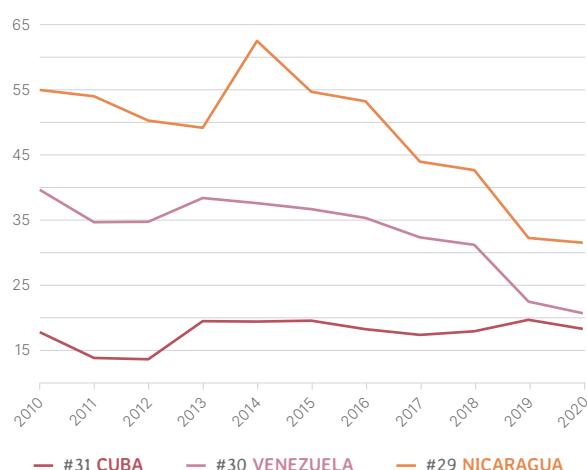


FIGURE 7.4
SOCIAL CONTEXT INDICATOR: BOTTOM PERFORMERS (2010–2020)



Quality of Government

The quality of government indicator measures the ability of the government to control corruption, the quality of public administration and bureaucracy, and the effectiveness of government institutions within a country. When a government has control over corruption and institutions are effective, the country becomes more resilient against the forces of corruption. Considering that, if institutions are

ineffective, the country becomes more susceptible to corruption as their resilience decreases.³

TABLE 7.6
QUALITY OF GOVERNMENT INDICATOR: TOP AND BOTTOM PERFORMERS, 2020

#	COUNTRY	CRS
1	URUGUAY	76.3
2	CHILE	75.5
3	COSTA RICA	71.4

#	COUNTRY	CRS
31	VENEZUELA	12.7
30	NICARAGUA	28.2
29	HAITI	27.5

As in previous indicators, Uruguay alongside Chile, and Costa Rica, had the highest scores with regard to the quality of governance indicator. Compared to their regional counterparts, the top performers have effective institutions and sufficient control over corruption. Uruguay stands out in the region because it has effectively controlled corruption and has well-functioning institutions that make the country resilient against corrupt practices. These stem from the aftermath of the 2002 financial crisis, during which the Uruguayan government implemented far-reaching social reforms and significantly improved the country's resilience. Conversely, Venezuela, Nicaragua, and Haiti lack these protections and are ranked among the countries with the poorest quality of governance. As a result, they remain more susceptible to the risks posed by corruption. Venezuela is the most extreme example, as the country's score sharply decreased due to the abolition of presidential term limits, weak checks on government power, and the expansion of power held by the executive branch under the Maduro administration.⁴

3 Mariano Rojas, "Corruption and Weak Institutions," in *Well-Being in Latin America*, by Mariano Rojas, Human Well-Being Research and Policy Making (Cham: Springer International Publishing, 2020), 155–64, https://doi.org/10.1007/978-3-030-33498-7_11.

4 International IDEA, *Taking Stock of Global Democratic Trends Before and During the COVID-19 Pandemic* (International Institute for Democracy and Electoral Assistance, 2020), <https://doi.org/10.31752/idea.2020.66>.

FIGURE 7.5
QUALITY OF GOVERNMENT INDICATOR: TOP PERFORMERS (2010–2020)

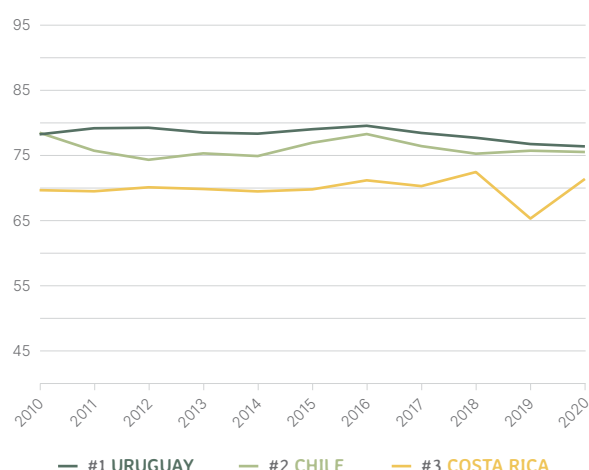
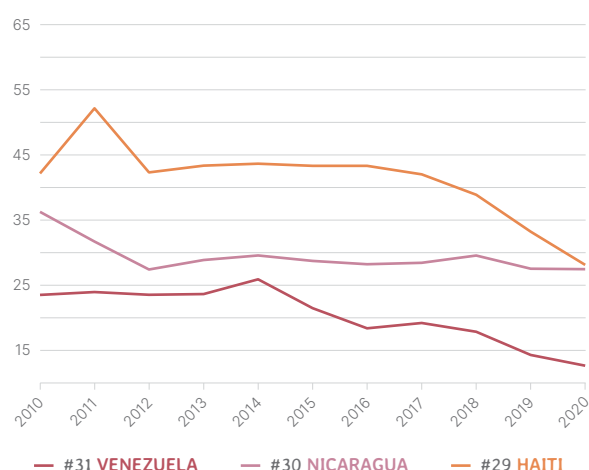


FIGURE 7.6
QUALITY OF GOVERNMENT INDICATOR: BOTTOM PERFORMERS (2010–2020)



Rule of Law

The rule of law indicator measures the independence of the judiciary and the quality of the judicial process within a country. Many studies have found that the strength of the rule of law can play a vital role in repelling corruption, but when the rule of law is weak, this tends to increase state susceptibility to corrupt practices.

TABLE 7.7
RULE OF LAW INDICATOR: TOP AND BOTTOM PERFORMERS, 2020

#	COUNTRY	CRS
1	CHILE	78.2
2	URUGUAY	77.8
3	COSTA RICA	74.6

#	COUNTRY	CRS
31	VENEZUELA	12.7
30	NICARAGUA	28.0
29	HAITI	29.9

Across the rule of law indicator Chile is the top performer—alongside Uruguay and Costa Rica—and this indicates that the strength of the rule of law makes countries more resilient against corruption.⁵ Over the decade, Chile has experienced marginal improvements in the rule of law score, while Uruguay has had the most significant improvement out of all 31 countries. In the case of Costa Rica, the country continues to perform above the regional average. Among the countries with the lowest scores, Venezuela’s rule of law indicator has experienced one of the region’s sharpest declines. This is attributed to the breakdown of the democratic regime and a move towards electoral autocracy. Like Venezuela, the declining rule of law in both Haiti and Nicaragua is also attributed to the autocratic electoral regimes of President Jovenel Moïse and President Daniel Ortega, respectively. Generally, countries with a strong rule of law will have better control of corruption than their regional counterparts whose legal frameworks, justice systems, or enforcement is deficient (i.e., Venezuela, Nicaragua, and Haiti). Among the vitally important components which influence corruption resilience, an independent judiciary is critical for maintaining checks and balances. However, the judiciary is generally perceived as one of the most problematic state branches in Latin America and the Caribbean. In countries like Brazil, El Salvador, and Mexico, this vital component is threatened by the rise of populist leaders who have the ability to dismantle constitutional checks and balances.

5 The Pearson correlation was found to be significant at the 0.01 level (2-tailed test) and was conducted for all 31 Western Hemisphere countries in 2020. The correlation between the rule of law indicator and control of corruption was significant and positive at (0.921).

FIGURE 7.7

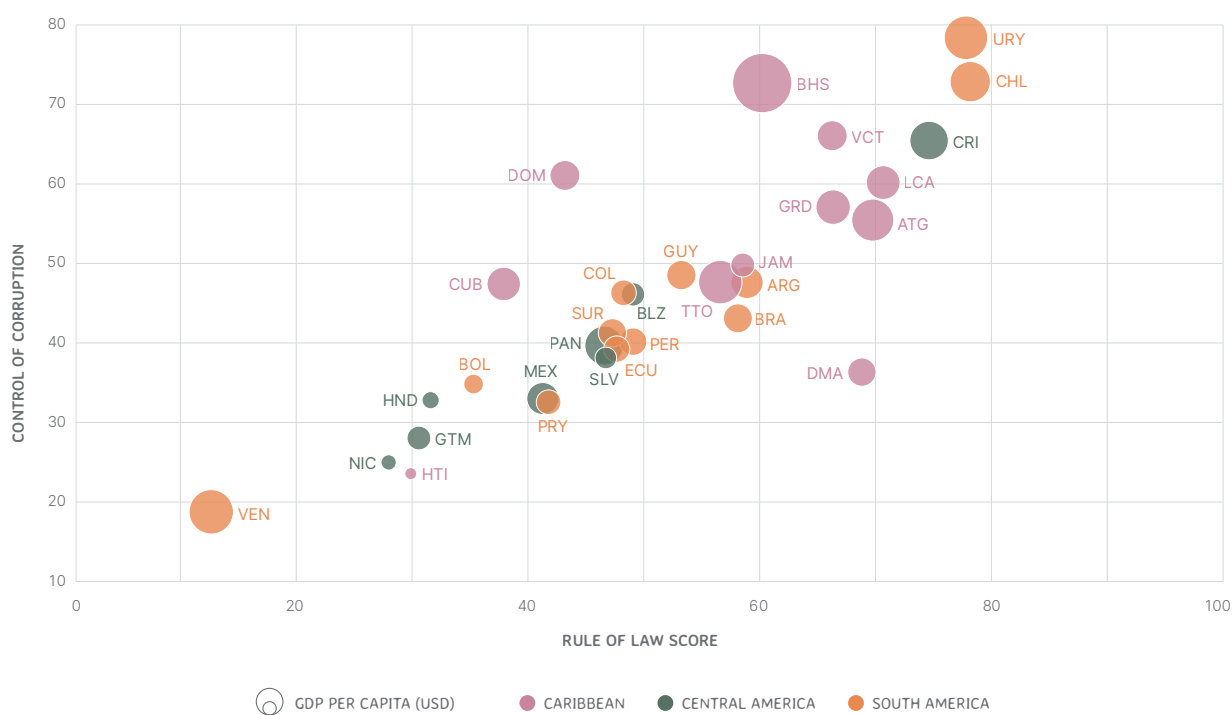
CONTROL OF CORRUPTION AND RULE OF LAW INDICATOR, 2020

FIGURE 7.8

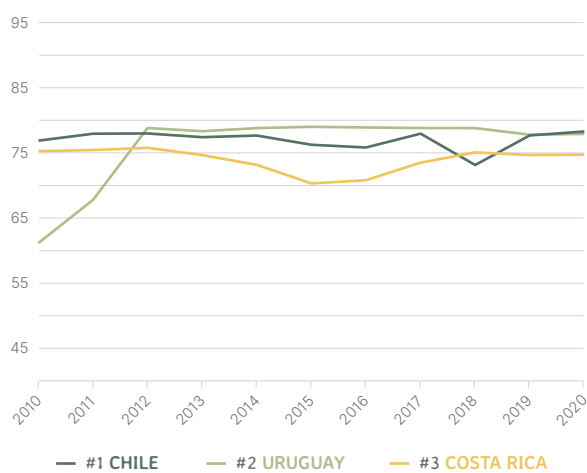
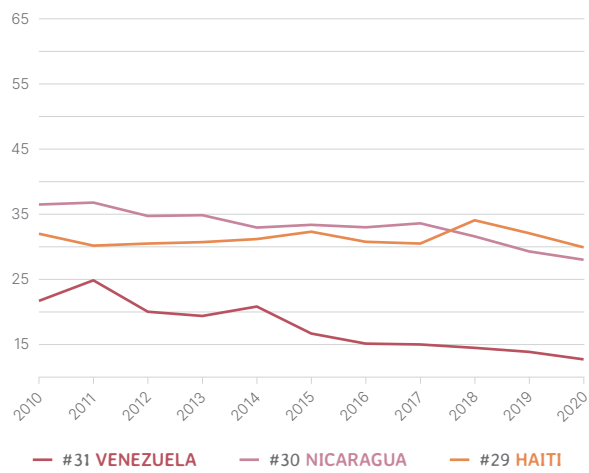
RULE OF LAW INDICATOR: TOP PERFORMERS (2010 - 2020)

FIGURE 7.9

RULE OF LAW INDICATOR: BOTTOM PERFORMERS (2010 - 2020)

Business Stability

The business stability indicator captures the regulatory environment, property rights, business and investment freedom, discriminatory practices, and transparency in government policies that can impact businesses within a country. When the business environment is burdened by red tape, lacks protections for property rights, or experiences excessive regulation, this will likely increase the risk for corruption and reduce a country's resilience.⁶

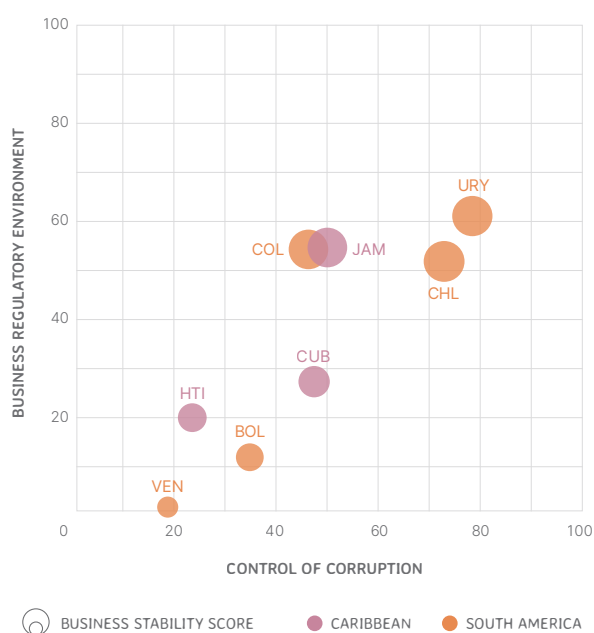
TABLE 7.8
BUSINESS STABILITY INDICATOR: TOP AND BOTTOM PERFORMERS, 2020

#	COUNTRY	CRS
1	CHILE	66.3
2	URUGUAY	64.4
3	JAMAICA	62.4

#	COUNTRY	CRS
31	VENEZUELA	17.7
30	BOLIVIA	30.7
29	HAITI	32.9

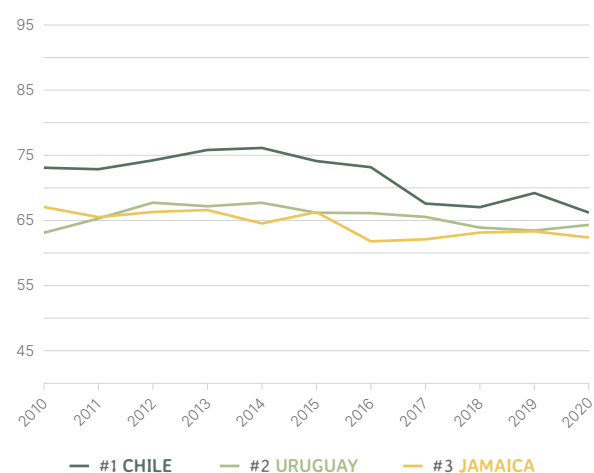
Chile is the top performer in the business stability indicator and ranks within the highest percentile among Western Hemisphere countries. The top four countries have a total average of 63.8 for the business stability indicator, making them more resilient against corruption. For the bottom performers in the business stability indicator, a loss of regulatory capacity in the private sector has contributed to institutionalized corruption. This is evidenced by the control of corruption values for Venezuela, Bolivia, and Haiti, which illustrate the extent of corruption-related issues within these countries. To examine this further, a correlation between the control of corruption (from the World Bank's World Governance Indicators) and business regulatory environment variable (from the World Bank's Country Policy and Institutional Assessments) was conducted for all 31 Western Hemisphere countries.⁷ The results provided further support that the strength of the indicator makes countries more resilient.

FIGURE 7.10
CONTROL OF CORRUPTION AND REGULATORY SYSTEM, 2020



Source: The control of corruption values and business regulatory environment data were obtained from the World Bank's Governance Indicators and the World Bank's Country Policy and Institutional Assessments, respectively.

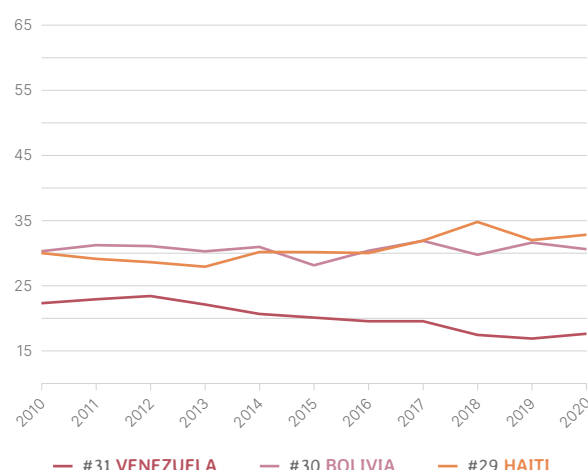
FIGURE 7.11
BUSINESS STABILITY INDICATOR: TOP PERFORMERS (2010–2020)



⁶ František Ochraňa and Jan Pavel, "Analysis of the Impact of Transparency, Corruption, Openness in Competition and Tender Procedures on Public Procurement in the Czech Republic," *Central European Journal of Public Policy* 7 (January 1, 2013): 114–34.

⁷ The Pearson correlation was found to be significant at the 0.01 level (2-tailed test) and positive at (0.668).

FIGURE 7.12
BUSINESS STABILITY INDICATOR: BOTTOM PERFORMERS (2010–2020)



Violence and Security

The violence and security indicator measures political and social terror, and organized crime within the country. The connection between corruption, violence, and crime is an added measure to gauge the resilience of countries against corruption. Similar to the relationship between corruption and economic growth, the score from the violence and security indicator illustrates how greater levels of crime weaken a country's resilience against corruption.⁸

Belize, Bolivia, Chile, Nicaragua, Panama, Peru, Saint Lucia, and Suriname, all experienced decreases of more than five points from the previous year. Despite this regional trend, Panama and Saint Lucia still achieved scores above the Western Hemisphere average for 2019 and 2020. Among the countries with the lowest scores, the greatest obstacle stunting progress in the indicator is posed by organized crime and drug trafficking.

TABLE 7.9
VIOLENCE AND SECURITY INDICATOR: TOP AND BOTTOM PERFORMERS, 2020

#	COUNTRY	CRS
1	CHILE	79.7
2	ANTIGUA AND BARBUDA	76.8
3	BRAZIL	76.2

#	COUNTRY	CRS
31	VENEZUELA	12.2
30	MEXICO	30.8
29	NICARAGUA	31.1

FIGURE 7.13
VIOLENCE AND SECURITY INDICATOR: TOP PERFORMERS (2010–2020)

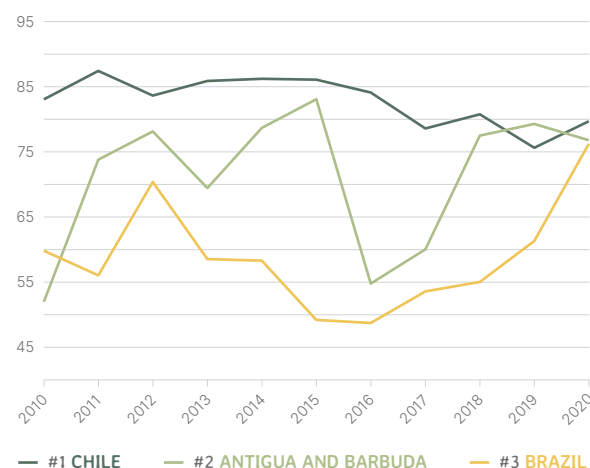
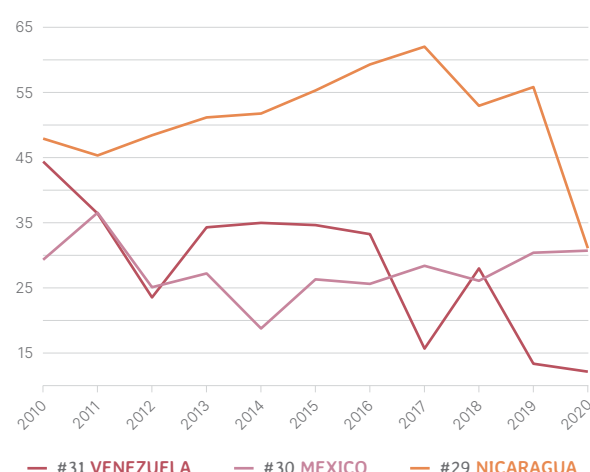


FIGURE 7.14
VIOLENCE AND SECURITY INDICATOR: BOTTOM PERFORMERS (2010–2020)



⁸ The Pearson correlation between the violence and security indicator and the World Bank's control of corruption governance indicator was found to be significant at the 0.01 level (2-tailed test) and positive at (0.524). The correlation was conducted for all 31 Western Hemisphere countries in 2020.

08



COUNTRY NARRATIVES

08. Country Narratives

Across countries, subregions, and hemispheres, the implementation of major anticorruption conventions takes place in different contexts, within varying scales and shifting timeframes.

The Convention Implementation Score (CIS) country narratives help to shed light on the country-specific conditions that shape the status of implementation at the national level. Each narrative describes a country's status with the anticorruption conventions (UNCAC, IACAC, OECD-ABC) and their corresponding review mechanisms (IRM, MESICIC, OECD-MM). The country narratives present the country's cumulative score and regional ranking, and provide insight into the country's implementation of anticorruption conventions across three thematic dimensions—prevention, criminalization and law enforcement, and international cooperation—and three implementation dimensions—adoption, design, and enforcement. Similarly, the Corruption Resilience Score (CRS) narratives provide an empirical assessment of five indicators (social context, quality of government, business stability, the rule of law, and security and violence) that illustrate the capacities of national governments to maintain resilience against corruption. The transparency narratives supplement the CIS and CRS country profiles by providing an additional layer of evaluations which gauge the extent of government accountability, inclusivity, and compliance during the UNCAC country review process. Altogether, the CIS, CRS, and transparency narratives piece together a comprehensive assessment of anticorruption efforts across all relevant spheres of anticorruption initiatives examined by WHACI.

Antigua and Barbuda

Western Hemisphere / **Caribbean**

CAPITAL
Saint John's

TERRITORY
440 km²

POPULATION (2020)
97,928.00

GDP TOTAL (2020)
\$1.415B USD

GDP PER CAPITA (2020)
\$14,450.00 USD

INCOME GROUP
High income

Convention Implementation

69.5

In progress

8th of 31 western hemisphere
1st of 11 Caribbean countries

Prevention

28.0

Core-deficient

Criminalization and law enforcement

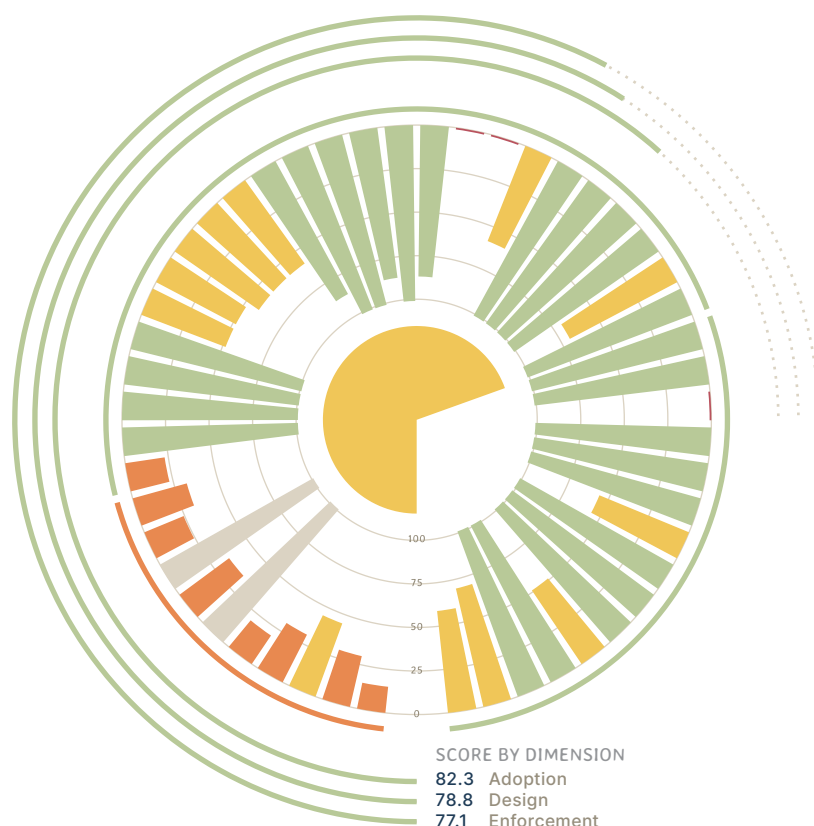
75.3

Implemented

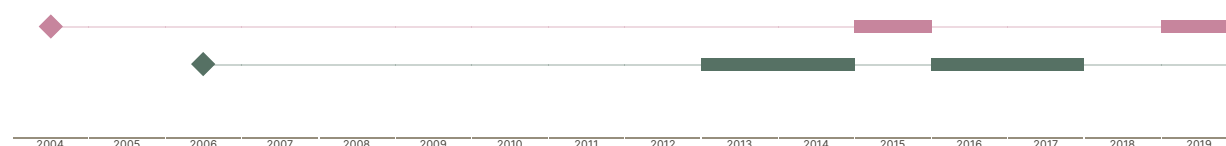
International cooperation

82.1

Implemented



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/acceded

□ Review rounds

MEASURES BY THEMATIC SECTION

Prevention

Core-deficient

28.0

✓ Adoption 53.1 ✎ Design 50.0 ⚙ Enforcement 50.0

Standards of Conduct

Core-deficient

14.1

✓ 0.0 ✎ 33.3 ⚙ 50.0

Enforcement of Standards of Conduct

Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⚙ 50.0

Training of Public Officials

Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⚙ 50.0

Asset and Conflicts of Interests Declarations

Core-deficient

29.7

✓ 100.0 ✎ 50.0 ⚙ 33.3

Transparency in Government Contracting

Core-deficient

18.8

✓ 25.0 ✎ 33.3 ⚙ 50.0

Elimination of Favorable Tax Treatment

Oversight Bodies

Core-deficient

34.4

✓ 100.0 ✎ 66.7 ⚙ 33.3

Measures to Deter Domestic and Foreign Bribery

Not applicable

✓ N/A ✎ N/A ⚙ N/A

Encouraging Participation by Civil Society

Core-deficient

23.4

✓ 25.0 ✎ 66.7 ⚙ 33.3

Study of Other Preventive Measures

Core-deficient

31.3

✓ 25.0 ✎ 33.3 ⚙ 100.0

Not applicable

✓ N/A ✎ N/A ⚙ N/A

Criminalization and law enforcement

Implemented

75.3

✓ Adoption 89.0 ✎ Design 82.7 ⚙ Enforcement 80.0

Protection of Those who Report Acts of Corruption

Core-deficient

21.9

✓ 50.0 ✎ 33.3 ⚙ 50.0

Scope

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-in-Territory

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-by-National

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offender-in-Territory

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Passive Public Bribery

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Active Public Bribery

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Abuse of Functions

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Money Laundering

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Participation and Attempt

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Active Foreign Bribery

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Illicit Enrichment

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Use of State Property

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Illicit Acquisition of a Benefit

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Public Embezzlement

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Passive Foreign Bribery

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Private Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Embezzlement

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Obstruction of Justice

In progress

57.8

✓ 100.0 ✎ 50.0 ⚙ 100.0

Liability of Legal Persons

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Statute of Limitations

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Prosecution, Adjudication and Sanctions

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Consequences and Compensation

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Cooperation With Law Enforcement

In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Asset Recovery

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

International cooperation

Implemented

82.1

✓ Adoption 86.7

✎ Design 87.8

⌛ Enforcement 86.7

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Inclusion in
Extradition Treaties
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Convention as Legal
Basis for Extradition
No implementation

0.0

✓ 0.0 ✎ 0.0 ⌛ 0.0

Automatic
Application Without
Treaty
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Prosecution Without
Extradition
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Assistance
In progress

54.7

✓ 75.0 ✎ 100.0 ⌛ 50.0

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Designate Central
Authorities
In progress

50.0

✓ 50.0 ✎ 50.0 ⌛ 100.0

Responsibilities of
Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Communication
Between Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌛ 100.0

Special Investigative
Techniques
In progress

68.8

✓ 75.0 ✎ 66.7 ⌛ 100.0

Technical
Cooperation
In progress

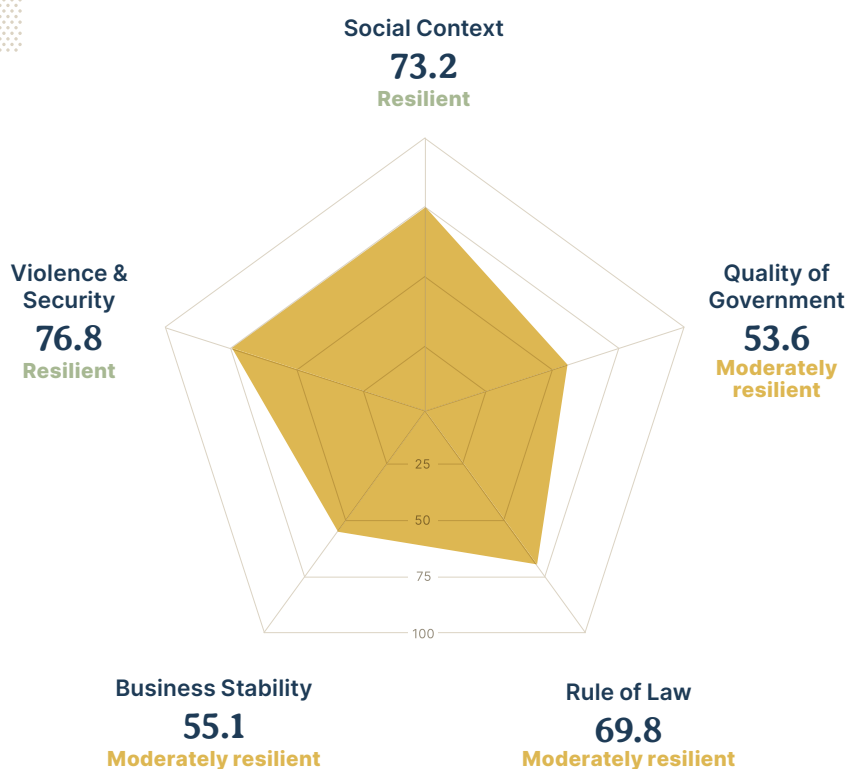
57.8

✓ 100.0 ✎ 100.0 ⌛ 50.0

Corruption Resilience

65.7

Moderately resilient

5th of 31 western hemisphere2nd of 11 Caribbean countries

Analysis

Convention Implementation

Antigua and Barbuda ratified the Inter-American Convention Against Corruption (IACAC) on January 13, 2004. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since December 10, 2010. The country also acceded to the United Nations Convention Against Corruption (UNCAC) on June 21, 2006. Under MESICIC, Antigua and Barbuda has undergone two rounds of review, which cover the provisions selected for the first, second, fourth, and fifth rounds. The country has also undergone one round of review under the UNCAC review mechanism.

Antigua and Barbuda's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and failures. With an overall score of 69.5, the measures adopted place the country at the upper middle point of compliance with international norms, surrounded by Nicaragua (67.9), Cuba (69.3), Mexico (69.7), and Brazil (69.8). However, progress in implementation is unequally distributed. Although many measures related to criminalization and law enforcement—as well as international cooperation—have been fully or largely implemented, all preventive measures analyzed were found to be deficient. The prevention of corruption is mostly lacking, classified as “core-deficient” by its average score and with prominent measures given a score below 30—i.e., standards of conduct and their enforcement, systems for registering asset and conflict of interests' declarations, transparency in government contracting, and civil society participation. Preventive measures account for over half of all underdeveloped measures in the country. Within this section, the training of public officials receives the highest score, followed by the state of oversight bodies.

In terms of criminalizing acts of corruption and related offenses, Antigua and Barbuda show satisfactory results. The country is found to have successfully implemented the basic commitments set out by the two conventions, criminalizing active and passive foreign bribery, illicit enrichment, liability of legal persons, and public embezzlement, among others. Other important measures remain in progress, such as those pertaining to active and passive public bribery, money laundering, and obstruction of justice. While these results and the average section score reflect the fact that Antigua and Barbuda have largely implemented its commitments to the criminalization of corruption, a few issues remain. The country has criminalized neither bribery nor embezzlement taking place in the private sector (as required by UNCAC), and the actions taken to implement the protection of

whistleblowers are considered deficient for the aims of the conventions.

Antigua and Barbuda is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country's active implementation of its commitments regarding international cooperation is another point worth highlighting, with most measures found fully implemented. Among the few shortcomings identified in this section, it is worth mentioning that Antigua and Barbuda do not recognize UNCAC as a legal basis for extradition (the use of IACAC in this regard was not reviewed).

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to a lack of information. Antigua and Barbuda is frequently cited during MESICIC rounds as providing little or no statistical information to assess the level of implementation of legally adopted measures, including standards of conduct, oversight bodies, and civil society participation, among others. In this respect, both rounds of MESICIC undergone by the country culminate with the persistent recommendation to “[s]elect and develop procedures and indicators, when appropriate and where they do not yet exist, to analyze the results of the systems, provisions, measures, and mechanisms considered in this report, and to verify follow-up on the recommendations made herein.” While lack of monitoring and data collection mechanisms is not exclusive to Antigua and Barbuda, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Over the last decade, Antigua and Barbuda has experienced fluctuations across all corruption resilience indicators. In terms of societal context, Antigua and Barbuda's indicator score has ranged between a high of 74.3 points in 2017 and a low of 68.4 points in 2012. More recently, the island nation's social context indicator fell by 0.8 points between 2019 and 2020—lowering the country's current score to 73.2.

Across the quality of governance and institutions indicator, Antigua and Barbuda received a score of 53.6—following a decrease of 0.8 points from 2019 to 2020. The country's highest scores within this indicator were recorded as 63.3 in 2013, while the lowest score of 52.1 was reached only four years later in 2017. The island nation's quality of institutions score (53.55) was

primarily influenced by effective governance and reasonable corruption controls.

The rule of law indicator ranged from Antigua and Barbuda's lowest score of 49.8 in 2010 to its highest score of 75.5 in 2015. In 2020, the rule of law indicator reflected a score of 69.8—a 1.3-point increase from the previous year—which substantially exceeded the Western Hemisphere regional indicator average of 51.1.

In terms of business stability within the country, Antigua and Barbuda's score is primarily influenced by an effective regulatory system that impacts the private sector. Between 2019 and 2020, the country's business stability indicator score increased by 7.8 points—resulting in a score of 55.1. Lastly, the violence and security indicator—which varied from a low of 52 in 2010 to a high of 83.1 in 2015—reflected a score of 76.8 for 2020 (a 2.5-point decrease from the previous year).

Argentina

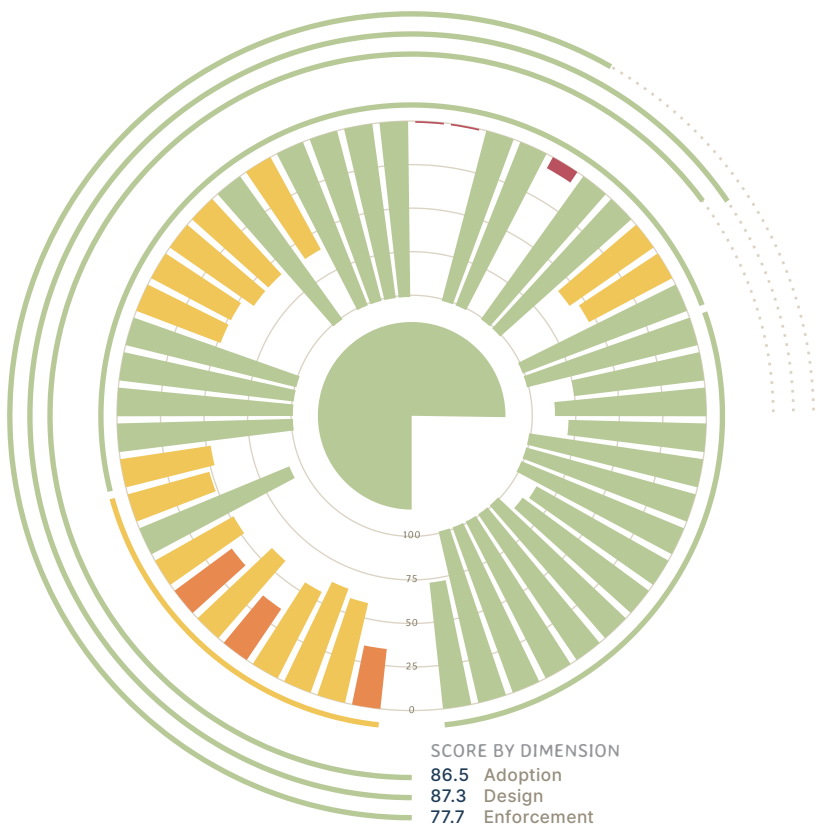
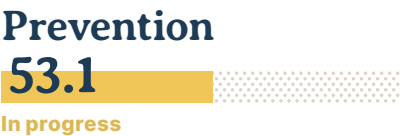
Western Hemisphere / **South America**

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Buenos Aires	2,736,690 km ²	45,376,763.00	\$383.1B USD	\$8,441.91 USD	Upper middle income

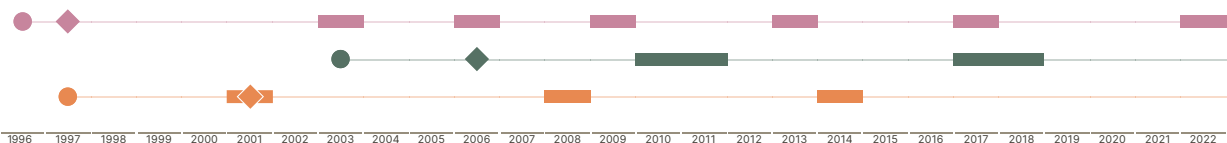
Convention Implementation



2nd of 31 western hemisphere
1st of 12 South American countries



Anti-corruption conventions timeline



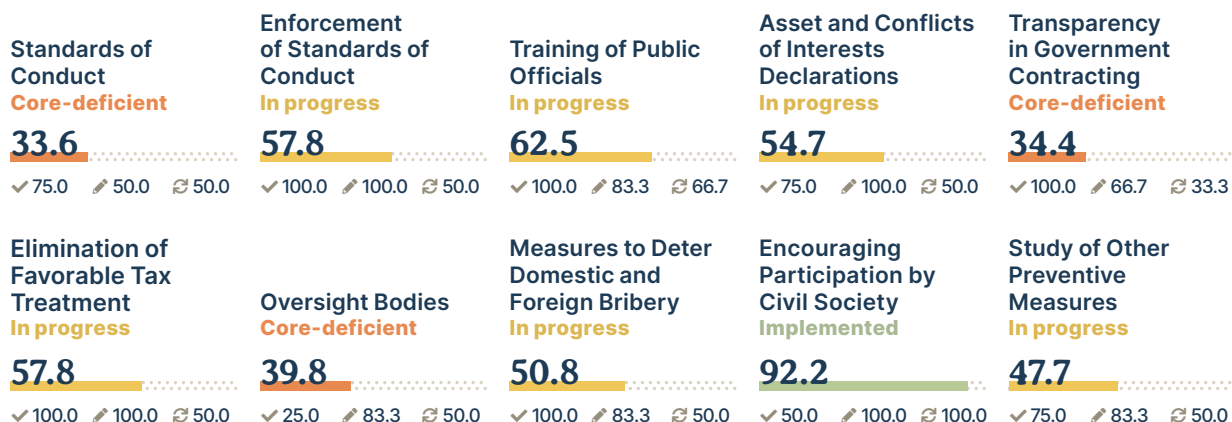
CONVENTIONS			KEY EVENTS		
■ IACAC - Inter-American Convention Against Corruption	■ UNCAC - United Nations Convention against Corruption	■ OECD Anti-Bribery Convention	○ Signed	◇ Ratified/ acceded	□ Review rounds

Prevention

In progress

53.1

✓ Adoption 80.0 ✎ Design 85.0 ⚙ Enforcement 55.0

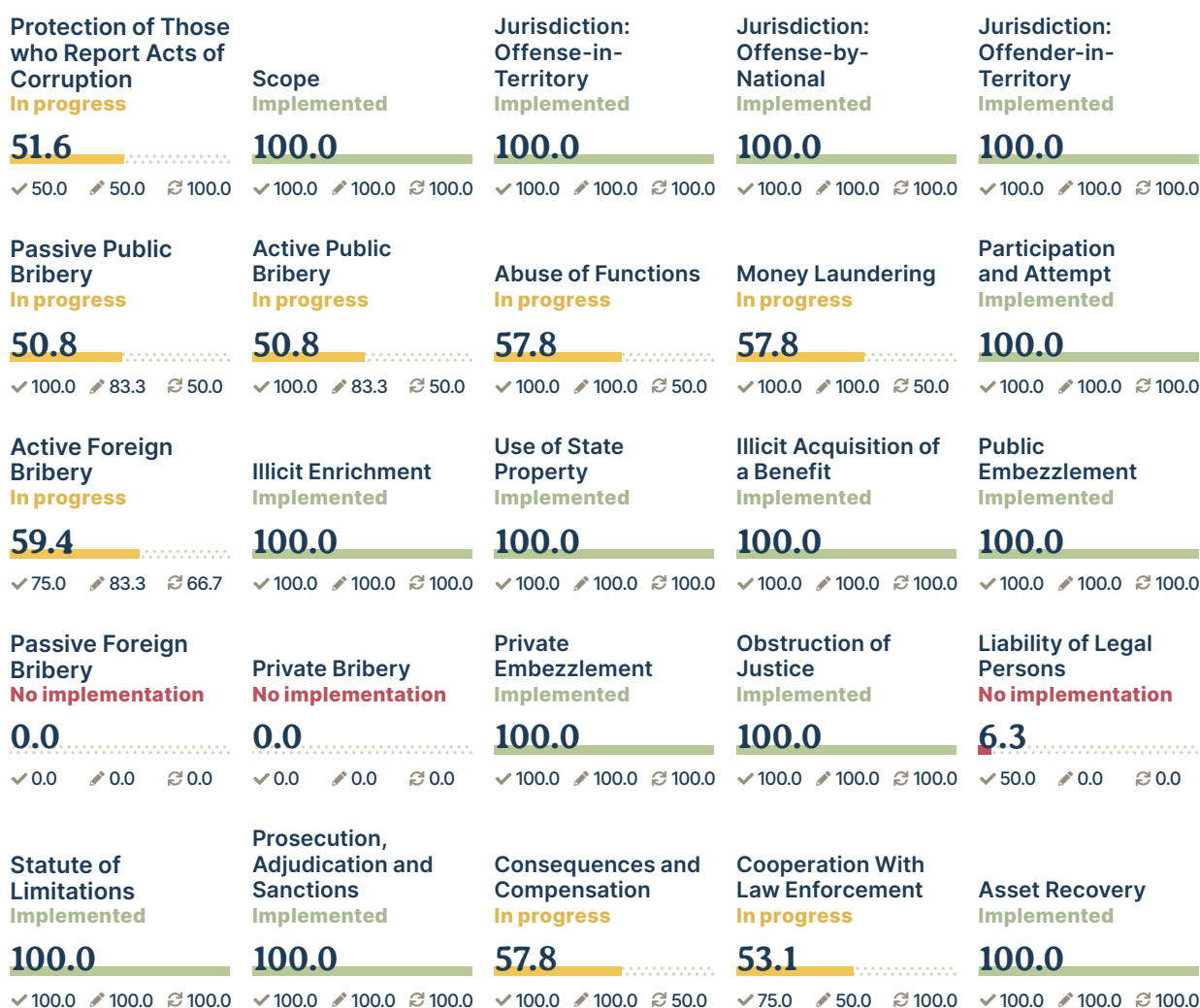


Criminalization and law enforcement

Implemented

73.8

✓ Adoption 86.0 ✎ Design 82.0 ⚙ Enforcement 76.7



International cooperation

Implemented

92.3

✓ Adoption 91.7 ✎ Design 97.8 ⚙ Enforcement 94.4

Assistance Without Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Inclusion in Extradition Treaties
Implemented

74.2

✓ 100.0 ✎ 83.3 ⚙ 83.3

Convention as Legal Basis for Extradition
Implemented

85.9

✓ 100.0 ✎ 100.0 ⚙ 83.3

Automatic Application Without Treaty
Implemented

78.1

✓ 50.0 ✎ 100.0 ⚙ 83.3

Prosecution Without Extradition
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Assistance
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Impossibility of Claiming Bank Secrecy
Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Limited Use of Information
Implemented

89.1

✓ 25.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Responsibilities of Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Communication Between Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Special Investigative Techniques
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Technical Cooperation
In progress

71.9

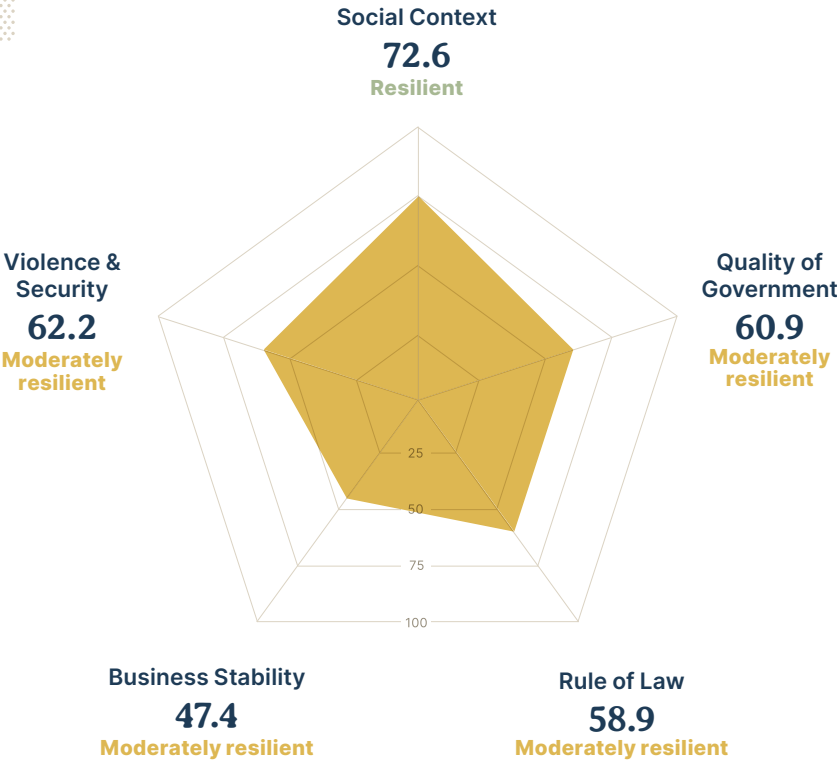
✓ 100.0 ✎ 100.0 ⚙ 66.7

Corruption Resilience

60.4

Moderately resilient

13th of 31 western hemisphere
4th of 12 South American countries



Analysis

Convention Implementation

Argentina signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on August 4, 1997. The country has been a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. Argentina also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on August 28, 2006. Argentina is also party to the OECD Anti-Bribery Convention (OECD-ABC), having signed it on December 17, 1997, and deposited the instrument of ratification on February 8, 2001. Accordingly, Argentina has undergone five rounds of review under MESICIC, one round of review under the UNCAC review mechanism, and three phases of evaluation by the OECD Working Group on Bribery. Argentina's record in implementing its commitments to IACAC, UNCAC and OECD-ABC exhibits a large number of successes and very few failures. With an overall score of 75.2, the adopted measures place the country at the higher point of compliance with international norms, followed by Peru (72.3) and Colombia (74.2), and second only to Costa Rica (76.3). Despite this degree of success, progress in implementation is slightly skewed—while the measures pertaining to international cooperation and criminalization and law enforcement are found to be either implemented or in progress, the few cases of failure are found exclusively within the preventive section.

The prevention of corruption is classified as “in progress” by its average score and with prominent measures given a score above 50—i.e., systems for registering asset and conflict of interests' declarations, enforcement of standards of conduct, and training of public officials. A large majority of preventive measures are considered to be in progress, and Argentina's actions encouraging the participation of civil society are assessed as almost fully implemented. Within this section, only three measures fall far from the target—standards of conduct (33.5), transparency in government contracting (34.3), and the state of oversight bodies (39.8). These are the only three measures for which Argentina received a “core-deficient” score.

In terms of criminalization and law enforcement, Argentina shows strong results. The country is found to have fully implemented over half of its commitments, criminalizing illicit enrichment and embezzlement in the public and private sectors, among other actions. However, key measures remain in progress,

such as those pertaining to active and passive bribery in the public sector and the protection of whistleblowers. Other measures are also “in progress” due to weaknesses in data production; these include actions against the abuse of functions, money laundering, and the active bribery of foreign public officials.

While these results and the average section score reflect the fact that Argentina has achieved modest success in the implementation of its commitments in the criminalization of corruption, a few significant issues remain. Three prominent measures found to be completely or mostly lacking are: the passive bribery of foreign public officials (0.0), the liability of legal persons (6.3) (both required by UNCAC and OECD-ABC) and bribery in the private sector (0.0) (required by UNCAC). Although obstacles to the successful implementation and enforcement of preventive anti-corruption measures are not solely found in Argentina, the issue is worth emphasizing in order to contextualize the overall score obtained by the country in this section.

Finally, Argentina is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country's active implementation of its commitments regarding international cooperation is another point worth highlighting, with almost all measures within this section receiving an “implemented” score of various degrees—from inclusion of corruption offenses in extradition treaties (74.2) to the use of special investigative techniques (100.0)—the sole exception being Argentina's technical cooperation, which was penalized due to insufficient information on its enforcement yet still accomplished a reasonably high score (71.9).

Corruption Resilience

Over the last decade, Argentina's social context indicator ranged from a low of 69.8 in 2013 to a high of 74.3 in 2017. Between 2019 and 2020, the indicator score decreased by 0.4 points—resulting in a score of 72.6—and still remained 7.7 points above the Western Hemisphere average for 2020. This was largely due to the country's successful safeguarding of civil liberties and political freedoms which are protected under Argentinian law. Other factors influencing the score included the decriminalization of slander and libel in 2009, and periodic instances of court sanctioned censorship for media outlets investigating or reporting political corruption within the country.

In terms of the quality of governance and institutions, Argentina's score of 60.9 is 10.3 points above the regional average of 50.6 for 2020—falling within the 75th percentile. Since 2010, Argentina's quality of governance score has fluctuated between a low of 47.5 in 2012 and a high of 61.2 in 2018. Argentina's quality of governance and institutions score was primarily influenced by the country's effective safeguarding of fundamental rights but concerns over constraints on government power remain—particularly in regard to maintaining impartiality.

Argentina's rule of law indicator score was primarily influenced by concerns over the impartiality of lower courts, the influence of political actors, and the overburdened court system. Across the rule of law indicator, Argentina's score has steadily increased since 2010—exceeding the regional average of 51.1 for 2020 by 7.8 points—however, the country still remains within the threshold of the 50th percentile. In terms of

business stability, Argentina's indicator score experienced a slight increase of 0.1 points in 2020—resulting in a score of 47.4—but remains 3.1 points below the average of Western Hemisphere countries.


Over the last decade, the country's business stability indicator has steadily albeit gradually increased from a low of 32.1 in 2015. The factors influencing Argentina's score include inefficiencies within the regulatory system, government transparency in policymaking, property rights, and rule-based governance regarding businesses. Lastly, the violence and security indicators for Argentina reflected a score of 62.2 in 2020—which was substantially higher than the regional average of 55.0—and generally fluctuated between a low of 47.3 in 2011 and a high of 67.1 in 2013. A key factor influencing this score has been Argentina's steadily declining homicide rate, which as of 2020, is the lowest the country has recorded in 7 years.


Transparency


MAIN REPORTING NGO


Asociacion Civil por la Igualdad y la Justicia (ACIJ)

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Jul-2021	2017-2018	Full Report	English

Did the government make public the contact details for the country focal point?  No

Was civil society consulted in preparation for the self-assessment?  No

Was civil society invited to provide information to the official reviewers?  No

Was the self-assessment published online or provided to CSOs?  Yes

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The second civil society parallel review report was authored by Asociacion Civil por la Igualdad y la Justicia (ACIJ) and highlighted the country's progress (and limitations) in implementing the articles within chapters II and IV of the UNCAC. The lack of available information continued to pose significant obstacles in the country's successful implementation of the UNCAC. Complete and accurate information could not be obtained from national agencies, and this included the Anti-Corruption Office. Instead, the ACIJ consulted legal documents and reports that were authored by various public agencies, international organizations, or civil society organizations, which were scattered across multiple websites. In terms of the legal framework, most UNCAC articles remained partially implemented while few had been largely integrated. The enforcement system continued to face inconsistencies in implementation across several categories, namely those of establishing preventive anti-corruption bodies, public sector employment, political financing, within the participation of the society, and in enhancing measures to prevent money laundering.

The ACIJ emphasized that the lack of accessible and available information, especially in terms of data necessary for the review process, must be addressed. The organization recommended that information on the country's focal point, and self-assessment documents, be published on the Anti-Corruption Bureau's website. Moreover, the ACIJ called for the organization of civil society briefings on the review process and for status updates regarding the country's compliance with the UNCAC. They recommended that

the country provide control bodies with autonomy and establish the necessary mechanisms to ensure their effectivity and independence. Moreover, Argentina was asked to strengthen control systems both externally and internally, adapt legislation to reflect international standards in the criminalization and prevention of corruption, and strengthen the public employment system to include a transparent process for entry and promotion through the use of competitive examinations.

Bahamas

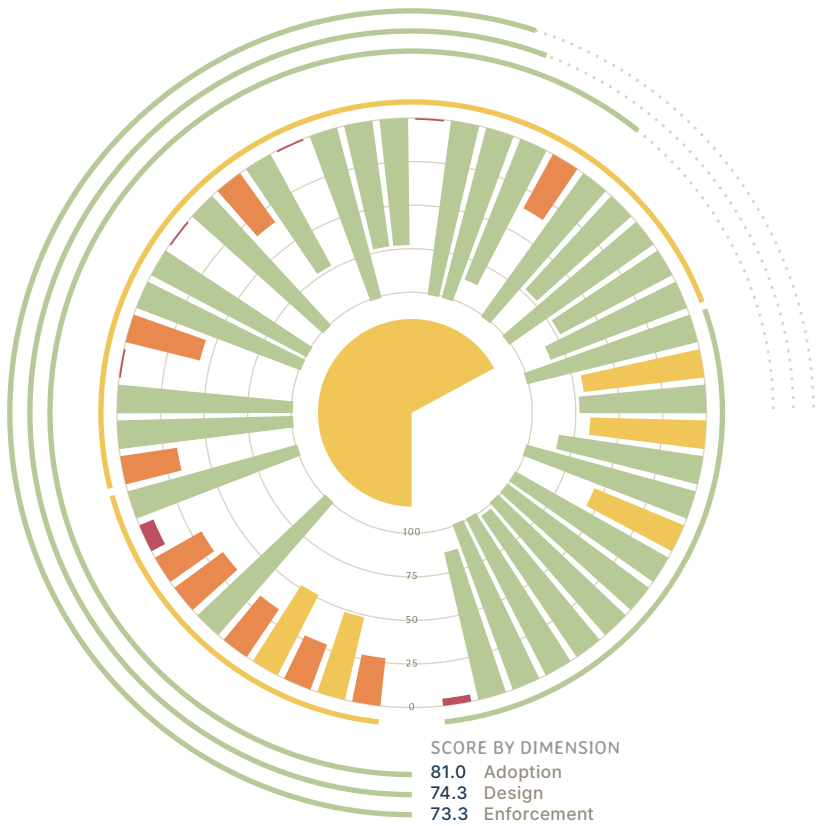
Western Hemisphere / Caribbean

CAPITAL Nassau	TERRITORY 10,010 km ²	POPULATION (2020) 393,248.00	GDP TOTAL (2020) \$11.25B USD	GDP PER CAPITA (2020) \$28,607.90 USD	INCOME GROUP High income
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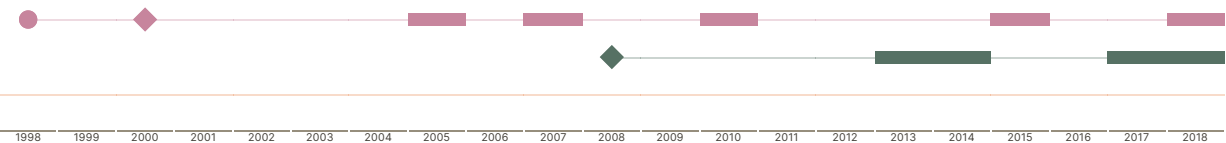
Convention Implementation



12th of 31 western hemisphere
3rd of 11 Caribbean countries



Anti-corruption conventions timeline



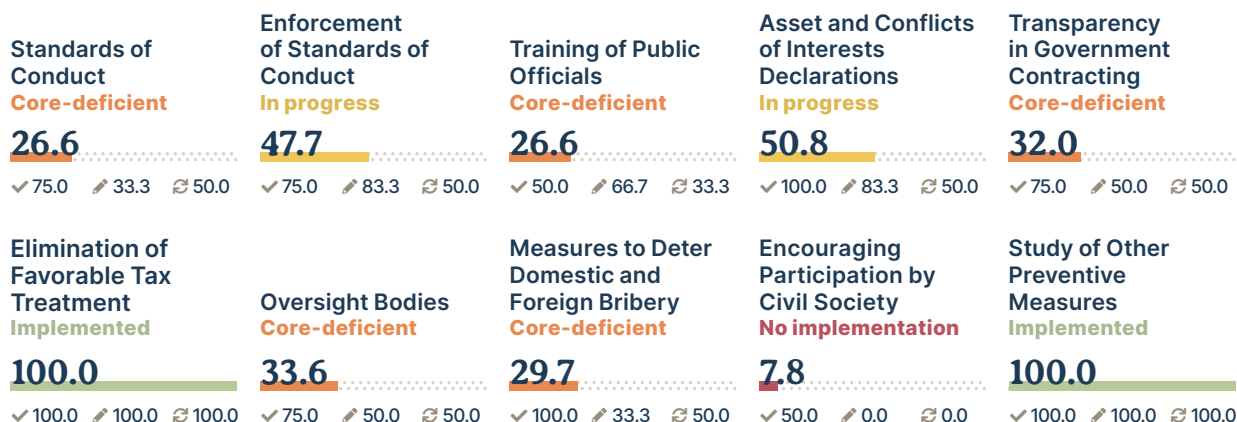
CONVENTIONS	KEY EVENTS
<ul style="list-style-type: none"> IACAC - Inter-American Convention Against Corruption UNCAC - United Nations Convention against Corruption OECD Anti-Bribery Convention 	<ul style="list-style-type: none"> Signed Ratified/acceded Review rounds

Prevention

In progress

45.5

✓ Adoption 80.0 ✎ Design 60.0 ⚙ Enforcement 53.3



Criminalization and law enforcement

In progress

66.8

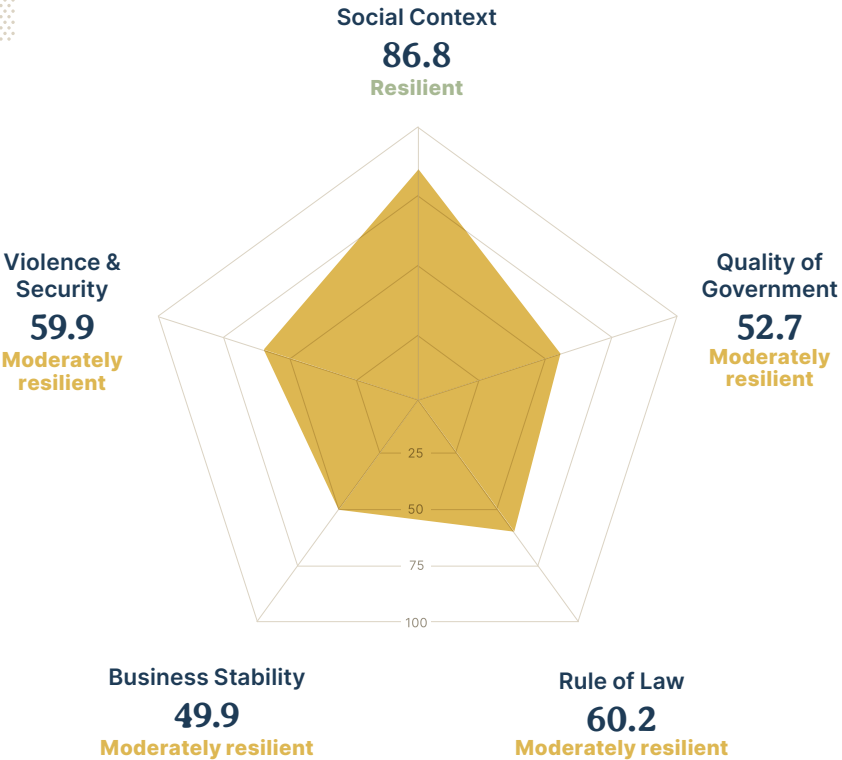
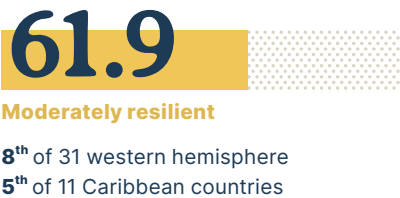
✓ Adoption 79.0 ✎ Design 70.0 ⚙ Enforcement 75.3



International cooperation



Corruption Resilience



Analysis

Convention Implementation

The Bahamas signed the Inter-American Convention Against Corruption (IACAC) on June 2, 1998, and ratified it in March 9, 2000. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also acceded to the United Nations Convention Against Corruption (UNCAC) on January 10, 2008. Accordingly, The Bahamas has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

The Bahamas's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 67.1, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Uruguay (66.1), Honduras (66.6), Guatemala (67.2), and Nicaragua (67.9). Despite achieving lower success in regard to prevention (as is the case throughout the region) roughly half of all deficient measures, and a majority of unimplemented ones, are found within the section of criminalization and law enforcement. That being said, the degree of the Bahama's progress in implementing its international commitments is generally lacking across all three sections, including international cooperation.

The prevention of corruption is prominently lacking, classified as "in progress" by their average score but with significant measures found to be unimplemented—the initiatives to encourage the participation of civil society—or deficient at core. The latter are the standards of conduct (26.6), the training of public officials (26.6), and actions to deter domestic and foreign bribery related to accounting regulations (29.7), transparency in government contracting (32.0), and the state of oversight bodies (33.6). Indeed, the majority of measures within this section are considered to be deficient or unimplemented. Only two measures are found to be in progress—the enforcement of standards of conduct (47.7) and the systems for registering asset and conflict of interests' declarations (50.8).

In terms of criminalization of acts of corruption and related offenses, the Bahamas shows mixed results. The country is found to have successfully implemented roughly half of all measures within this section, including those pertaining to active and passive bribery in the public sector, bribery in the private sector, embezzlement in the public and private sectors, money laundering, and the obstruction of justice, among others. On the other hand, a number of significant measures remain lacking. The country has not criminalized illicit enrichment, the passive

bribery of foreign officials (as required by UNCAC), or the abuse of functions. Among the measures considered to be deficient, the Bahamas lacks sufficient protection of those who report acts of corruption (i.e., whistleblower protection) (32.0), criminalization of extended forms of involvement in the commission of corruption offenses such as participation and attempt (33.6), and liability of legal persons (34.4), all of which are classified as "core-deficient" as a result. Other measures remain in progress.

The Bahamas is found only partially compliant in its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism reports that "[e]xtraterritorial jurisdiction is foreseen only for extradition purposes... [and] the Bahamas has not adopted the active or passive personality principles or established jurisdiction over offenses when the alleged offender is present in its territory and is not extradited." On the other hand, the country's active implementation of its commitments regarding international cooperation is a point worth highlighting, with most measures found fully implemented. Only one measure is found mostly unimplemented—the country's efforts to support and pursue international technical cooperation (3.1).

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to lack of information. Particularly affecting the measures to prevent corruption, the Bahamas is cited during MESICIC rounds as providing little or no statistical information to assess the level of implementation of standards of conduct or the processing of asset and conflicts of interests' declarations. Measures designed to deter bribery could not be properly evaluated either. While lack of monitoring and data collection mechanisms are not solely found in the Bahamas, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

In 2020, the Bahamas saw an increase in its social context indicator by 6.9 points from 2019, an indication of improving civil liberties and media freedom. Generally speaking, in the Bahamas, citizens' civil liberties and political rights are consistently respected. The Bahamas has also continually scored high in the social context indicator since 2010—barring a slight drop of 6.0 points in 2019. Media in the Bahamas is protected by the country's constitution, and freedom of association and belief remain respected throughout the country. In 2020, the Bahamas was a top performer in the Western Hemisphere with respect to the

social context indicator, where the country ranked within the 75th percentile.

With respect to the quality of government indicators, in 2020, the Bahamas saw a decline in its score from the previous year by 5.1 points. The quality of government indicator has fluctuated over the years (2010 and 2020), where approximately +/- 2 change in the country's score has occurred. In 2020, the Bahamas was slightly above the Western Hemisphere average by 2.1 points (50.6), ranking the country within the 50th percentile. The Bahamas score for quality of governance is not optimal and this is largely attributed to the inclusion of the control of corruption variable. Concerning the Bahamas, corruption remains a problem for the country.

In 2020, the Bahamas saw a slight decrease in its rule of law indicator by 0.04 points, which is not a cause for concern. The country's rule of law score has slightly fluctuated over the decade, reaching a high of 63.4 in 2016 and a low of 52.5 in 2012. Compared to other countries in the Western Hemisphere, the Bahamas retains high rule of law indicator scores—consistently scoring above the regional indicator average for the last decade. This is primarily due to the Bahamian judicial system, which has been independent and free of interference from government officials and other powerful entities in the country (Freedom House Report, 2020).

The Bahamian business environment is assessed with a business stability indicator, which captures the regulatory environment, business and investment freedom, and property rights and rule-based governance that can impact private economic activity. In 2020, the Bahamas business stability indicator score increased by 2.4 points from the preceding year. Despite improvements in the country's business stability indicator in 2020, the country's score is slightly below the Western Hemisphere average score of 50.5 with a 0.6 points difference. The Bahamas business stability indicator has been decreasing approximately by 0.1 points each year between 2012 and 2016. In 2017 the country's score began to decrease approximately by 2.3 points from 2016 to 2018.

In 2020, the Bahamas violence and security indicator was 59.9, which decreased from the preceding year by 2.7 points. Despite the drop in the score, the Bahamas score for 2020 is still 4.9 points above the Western Hemisphere average score for the violence and security indicator. Over the decade, the Bahamas violence and security indicator fluctuated with approximately +/- 2 change in its score, and in 2016, the country had the highest score of the decade of 70.1.

Belize

Western Hemisphere / **Central America**

CAPITAL
Belmopan

TERRITORY
22,810 km²

POPULATION (2020)
397,621.00

GDP TOTAL (2020)
\$1.764B USD

GDP PER CAPITA (2020)
\$4,435.62 USD

INCOME GROUP
Lower middle income

Convention Implementation

58.1

In progress

22nd of 31 western hemisphere
7th of 8 Central American countries

Prevention

42.7

Core-deficient

Criminalization and law enforcement

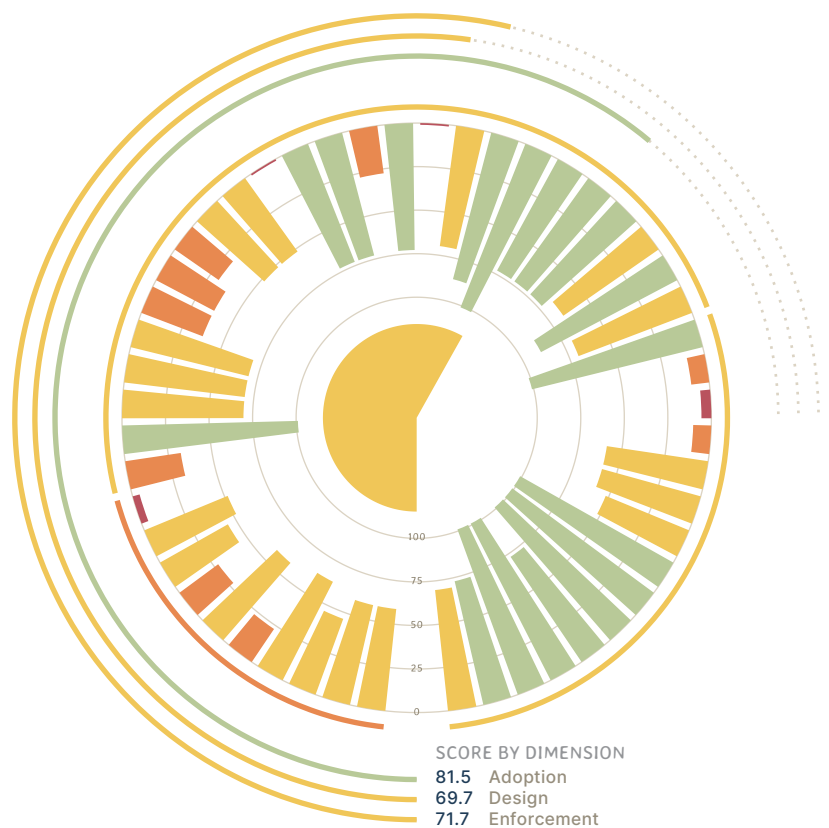
59.1

In progress

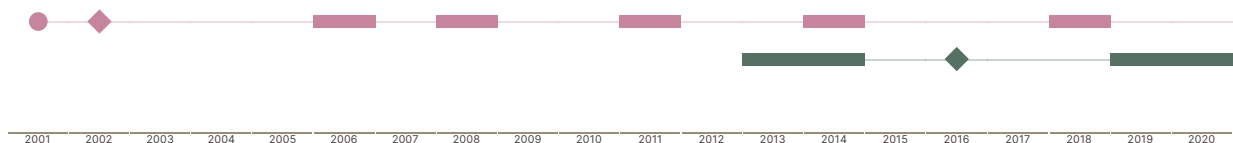
International cooperation

66.8

In progress



Anti-corruption conventions timeline



CONVENTIONS

■ IACAC - Inter-American Convention Against Corruption

■ UNCAC - United Nations Convention against Corruption

■ OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

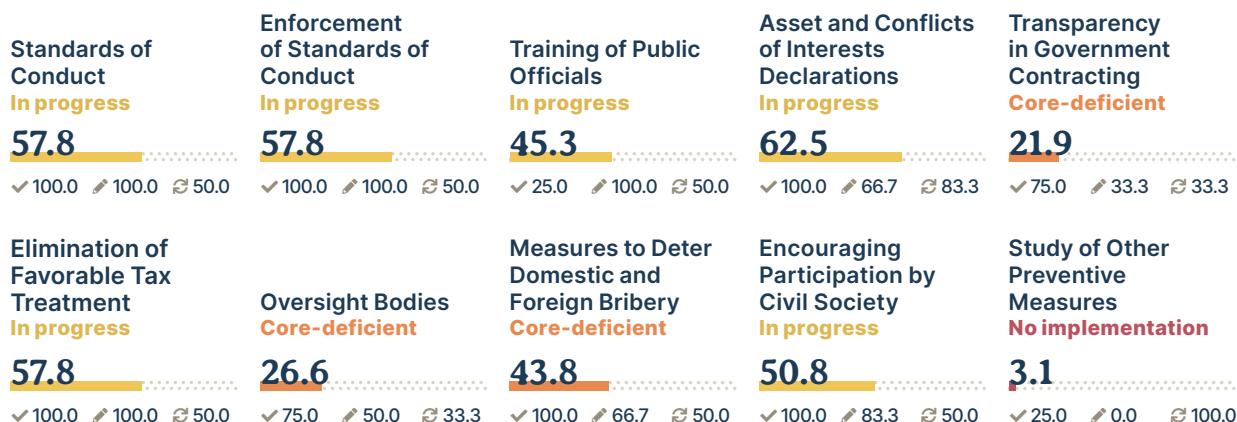
MEASURES BY THEMATIC SECTION

Prevention

Core-deficient

42.7

✓ Adoption 80.0 ✎ Design 70.0 ⚙ Enforcement 55.0



Criminalization and law enforcement

In progress

59.1

✓ Adoption 79.0 ✎ Design 64.0 ⚙ Enforcement 77.3



International cooperation

In progress

66.8

✓ Adoption 86.7 ✎ Design 78.9 ⚙ Enforcement 73.3

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Inclusion in
Extradition Treaties
Core-deficient

9.4

✓ 50.0 ✎ 0.0 ⚙ 50.0

Convention as Legal
Basis for Extradition
No implementation

4.7

✓ 25.0 ✎ 0.0 ⚙ 50.0

Automatic
Application Without
Treaty
Core-deficient

9.4

✓ 50.0 ✎ 0.0 ⚙ 50.0

Prosecution Without
Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Assistance
In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central
Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Responsibilities of
Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Communication
Between Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Special Investigative
Techniques
In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Technical
Cooperation
In progress

68.8

✓ 75.0 ✎ 100.0 ⚙ 66.7

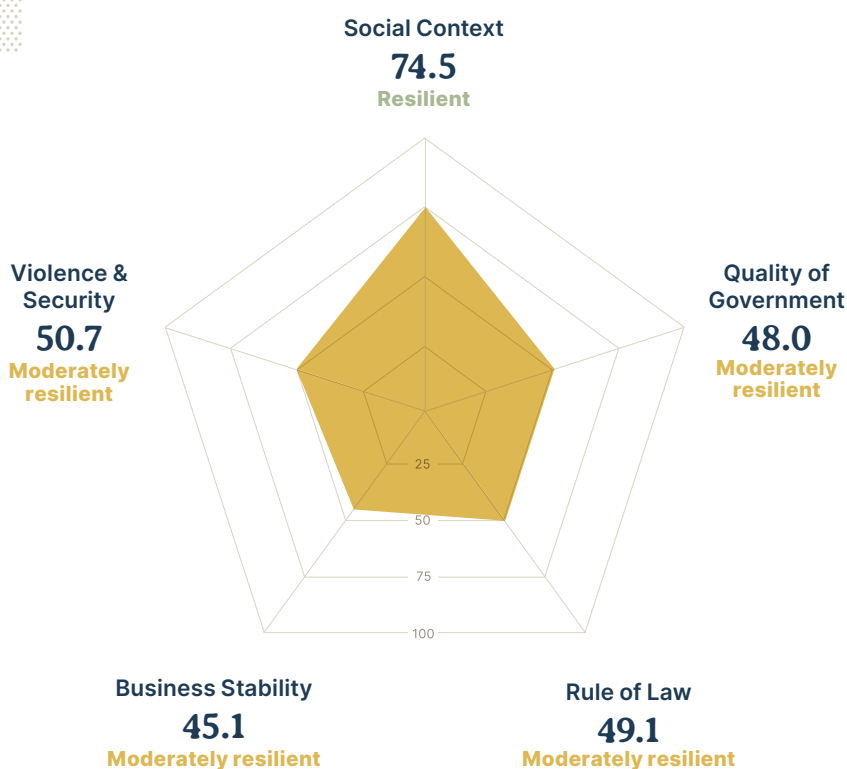
Corruption Resilience

53.5

Moderately resilient

19th of 31 western hemisphere

3rd of 8 Central American countries



Analysis

Convention Implementation

Belize signed the Inter-American Convention Against Corruption (IACAC) on June 5, 2001, and ratified it on August 2, 2002. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 9, 2003. The country also acceded to the United Nations Convention Against Corruption (UNCAC) on December 12, 2016. Accordingly, Belize has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Belize's record in implementing its commitments to IACAC and UNCAC exhibits a number of failures and very few successes, with the bulk of the committed measures still in progress. With an overall score of 58.1, the measures adopted place the country in the lower level of compliance with international norms—but not far from countries at the middle point—surrounded by El Salvador (51.5), Dominican Republic (55.7), Haiti (58.2), and Paraguay (60.8). Despite the low level of implementation and enforcement, some degree of progress is found in all three sections (although leaning towards criminalization and international cooperation rather than prevention, as is the case throughout the region). Conversely, Belize's significant measures may also be described as lacking across prevention and criminalization.

The prevention of corruption is deficient but not totally lacking, classified as “core-deficient” by its average score and with prominent measures given a score below 30—i.e., transparency in government contracting and the state of oversight bodies. However, aside from these and the study of preventive measures related to equitable compensation and measures to deter domestic and foreign bribery related to accounting regulations, all other provisions found in this section are found to be in progress. Indeed, preventive measures account for less than one third of all underdeveloped measures in the country.

In terms of criminalization and law enforcement, Belize shows better results than those regarding prevention—yet, significant deficiencies remain, with over a quarter of measures within this section classified as core-deficient or not implemented. The country is found to have successfully implemented two key commitments: actions to control embezzlement in the private section and the obstruction of justice. However, significant measures are found completely lacking—i.e., the criminalization of active and passive bribery of foreign officials—or given low scores, including those pertaining to the abuse of functions, whistleblower protection, and the active and passive

bribery of public officials in the country. Other measures, such as the fight against money laundering, the establishment of jurisdiction over corruption offenses, and the liability of legal persons, among several others, are found in progress due to limitations in their legal features. Belize's record in promoting and engaging with international cooperation is also lackluster, achieving an average section score only slightly higher than that for criminalization and law enforcement (discussed in the previous paragraph) and receiving a classification of “in progress”. Among the few highlights identified here, the country is found fully compliant in its commitments to establish effective central authorities charged with the handling of requests for assistance and cooperation. On the other hand, measures related to extradition are severely deficient, not least due to the fact that Belize does not recognize either convention as a legal basis for extradition. In this regard, the report for the third round of MESICIC reached the following conclusion: “Therefore, because the Convention cannot be the basis for extradition, and because Belize has only entered into bilateral extradition treaties with Guatemala, Mexico, and the United States, extradition would not be possible with any of the remaining States Parties to the Convention, with respect to the acts of corruption contained therein.”

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to the lack of information. Belize is frequently cited during MESICIC rounds as providing little or no statistical information to assess the level of implementation of legally adopted measures. This point is also brought forward by the UNCAC review mechanism. While lack of monitoring and data collection mechanisms is not solely found in Belize, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

In 2020, Belize's social context indicator was above the Western Hemisphere average by 9.6 points. Despite the country's score dropping by 4.1 points from the previous year, the country's civil liberties, political rights, and media freedom are respected and guaranteed. In 2010 and 2013, Belize's social context indicator scores were (81.2 and 82.8, respectively) the highest scores it has had in a decade.

With respect to the quality of government indicators, in 2020, Belize's score declined by 1.9 points from the previous year. The country's score was below the Western Hemisphere average for 2020 by

2.6 points. Since 2010, the country's score has been steadily declining. Belize's score for quality of government indicator is not optimal, and it is attributed to the serious problem of corruption within the country.

In 2020, Belize's rule of law indicator declined by 3.1 points from the previous year. The country's rule of law score has been consistently low over the decade and declining since 2010. Within the Western Hemisphere, the rule of law indicator is 51.1 for 2020, and Belize's score is 2.0 points below the average for the region. Despite an independent judicial system, there are occasions of interference in the courts by political and business entities within the country. In addition, the country has a problem with its criminal and civil justice system. The country's score improved over the decade primarily due to the independence of the judicial system. Nonetheless, the judicial system does have a few shortcomings, such as limited resources.

Belize's business stability indicator declined in 2020 by 2.5 points from the previous year. The country is 5.4 points below the Western Hemisphere 2020 average and falls in the 25th percentile. Since 2010, the country's score has been declining, where it had the highest score in 2010 of 52.4 and the lowest score of 43.0 in 2015. Belize's declining score is largely attributed to the uneven enforcement of private property rights and inefficiency within regulations and policies.

The country's violence and security indicator decreased in 2020 by 9.8 points from the previous year. Belize's violence and security score reached 50.7, which falls 3.6 points below the Western Hemisphere's for the indicator in 2020. The country's indicator score has varied over the decade, reaching its lowest score in 2020 and its highest score of 70.8 in 2016. Belize's fluctuating score is largely impacted by illicit trafficking and organized crime.

Bolivia

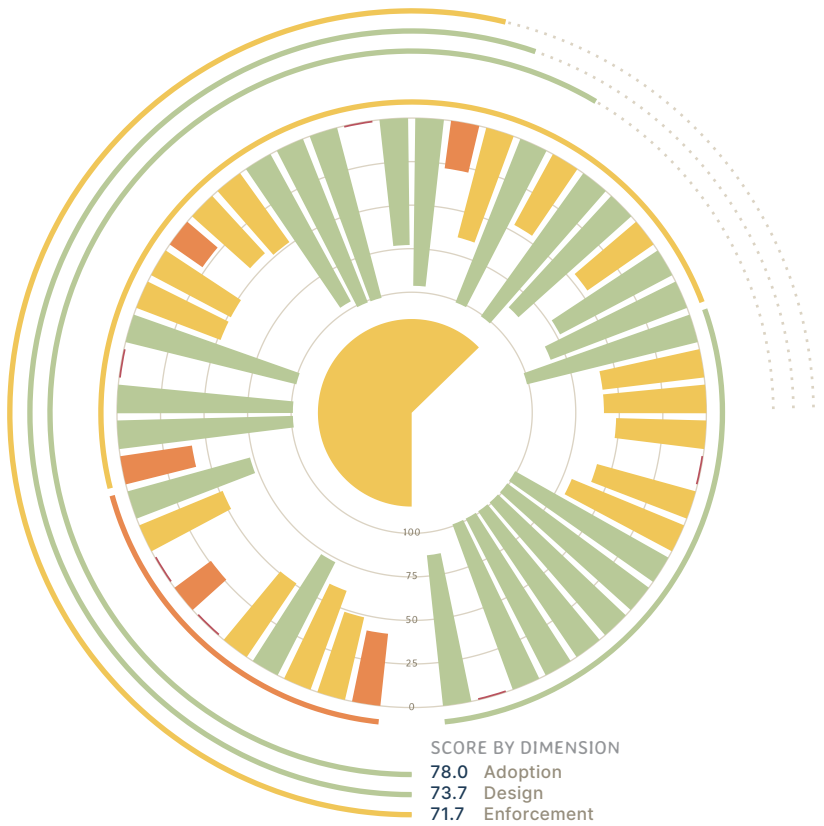
Western Hemisphere / South America

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
La Paz (administrative); Sucre (legislative/ judiciary)	1,083,300 km ²	11,673,029.00	\$36.69B USD	\$3,143.04 USD	Lower middle income

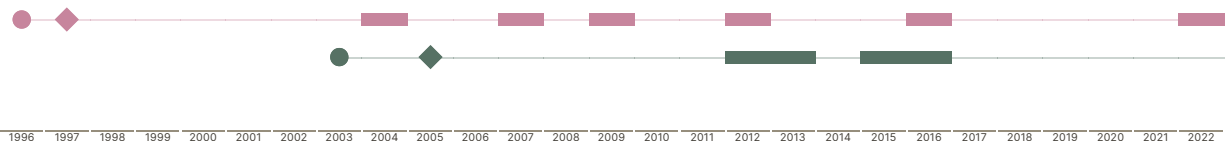
Convention Implementation



18th of 31 western hemisphere
8th of 12 South American countries



Anti-corruption conventions timeline



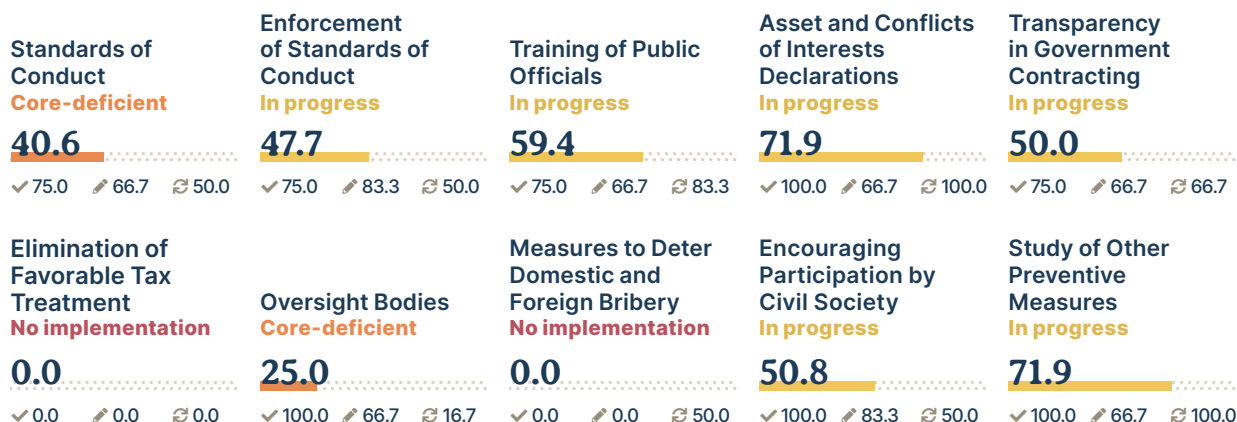
CONVENTIONS	KEY EVENTS
<ul style="list-style-type: none"> IACAC - Inter-American Convention Against Corruption UNCAC - United Nations Convention against Corruption OECD Anti-Bribery Convention 	<ul style="list-style-type: none"> Signed Ratified/ acceded Review rounds

Prevention

Core-deficient

41.7

✓ Adoption 70.0 ✎ Design 56.7 ⚙ Enforcement 56.7



Criminalization and law enforcement

In progress

65.6

✓ Adoption 77.0 ✎ Design 73.3 ⚙ Enforcement 76.7



International cooperation

Implemented

71.9

✓ Adoption 85.0 ✎ Design 85.6 ⌛ Enforcement 73.3

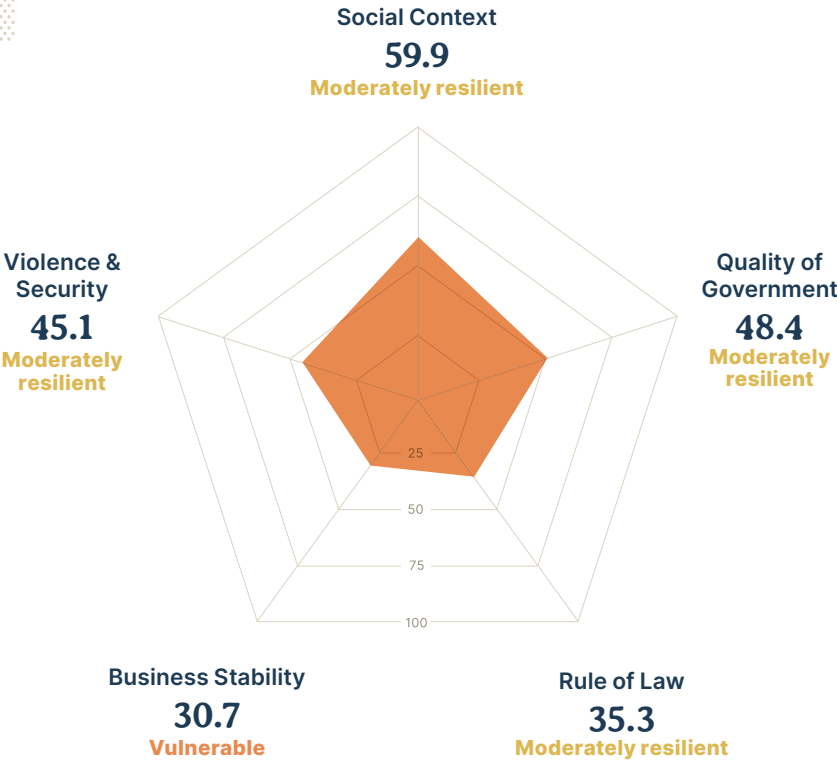


Corruption Resilience

43.9

Vulnerable

25th of 31 western hemisphere
11th of 12 South American countries



Analysis

Convention Implementation

Bolivia signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on January 23, 1997. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2003, and subsequently ratified it on December 5, 2005. Accordingly, Bolivia has undergone six rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Bolivia's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes but also a modicum of failures. With an overall score of 62.7, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Paraguay (60.8), Venezuela (61.0), Panama (63.5), and Jamaica (65.1). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) over half of all preventive measures are found to be in progress while a number of measures in the former sections receive failing scores.

The prevention of corruption is deficient but not totally lacking, classified as “core-deficient” by its average score and with two measures found absent—i.e., the elimination of favorable tax treatment for corrupt expenditures and measures to deter domestic and foreign bribery related to accounting regulations, for which the country does not have specific legislation and did not present results. However, aside from these and the state of oversight bodies (25.0) and standards of conduct (40.6) all other provisions in this section are found to be in progress. Considering them across all three sections, preventive measures account for precisely one third of all underdeveloped measures in the country.

In terms of criminalization and law enforcement, Bolivia shows better results than those regarding prevention, although significant deficiencies remain. The country has not adopted sufficient protection for those who report acts of corruption (i.e., whistleblower protection), established international jurisdiction over offenses committed by a national, extended the range of predicate offenses for money laundering to include those involving the private sector, or specifically criminalized the abuse of functions, bribery in the private sector, or the illicit acquisition of a benefit (i.e., influence trading). Other measures, such as the active and passive bribery of foreign officials and illicit enrichment has been fully

or largely implemented, and the criminalization of embezzlement in the private sector shows encouraging results (although still in progress). Overall, almost half of all the measures in this section are found to comply with Bolivia's international commitments, resulting in an average section score of 65.6.

Bolivia is found generally compliant with its commitments regarding international cooperation, with only two measures remaining fully unimplemented: the regulation and application of special investigative techniques such as electronic surveillance, undercover operations, and others; and the possibility of prosecuting corrupt offenses when an extradition request has been denied. Regarding the latter, the country reported during its third round of review of MESICIC that the lack of legislation on the matter meant that “it is not obliged to bring the case to the attention of its domestic authorities for prosecution, much less report the final outcome to the requesting country.” Concerning other measures in this section, a majority of them are found to be implemented, with only five measures still in progress.

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to the lack of information. Bolivia is frequently cited during MESICIC rounds as providing little or no statistical information to assess the level of implementation of legally adopted measures. In following up on past recommendations, the review conducted during the fifth round of MESICIC reports that “the country under review said there was no progress to report on implementation of the foregoing recommendation, so that the Committee reiterates the need to pay additional attention to its implementation.” The limited amount of statistical data is also highlighted by the UNCAC review mechanism. While lack of monitoring and data collection mechanisms is not solely found in Bolivia, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

In 2020, Bolivia saw an increase in its social context indicator by 1.7 points from 2019, improving civil liberties and media freedom. Despite increases in its social context indicator, the country's score remains below the average of 64.9 for the region. In 2010, Bolivia's social context indicator was 62.1, the highest score it had achieved in a decade, whereas between 2011 and 2020, the country's score varied by +/- 2.50 points. The decline in the country's score can be credited to the practice of freedom of expression within the country. For example, the Bolivian constitution

guarantees freedom of expression—however, in practice, the media’s restrictions are constrained when media outlets are critical of the government. Additionally, the political rights of indigenous groups within the country are overlooked, despite having constitutional protection.

In terms of the quality of government and institutions, Bolivia’s 2020 score declined by 1.2 points from the previous year. The country’s indicator score fell below the Western Hemisphere average for 2020 by 2.2 points. Since 2010, the country’s score has been on a decline, especially after 2016. Bolivia’s score can be attributed to a limited guarantee of fundamental rights, quality of bureaucratic systems, and constraints to the government, to name a few deficiencies. The country’s low score is primarily caused by a lack of control over corruption and the 2019 political crisis, where President Evo Morales ignored the country’s two-term limit.

Bolivia’s rule of law indicator declined by 1.6 points from the previous year and falls within the lower percentile for the Western Hemisphere. The country’s score fell below the regional average by 15.8 points for 2020. Since 2010, Bolivia’s score has been

declining. The country’s low score is impacted by how judicial appointments take place, commonly during highly politicized (popular) elections that are conducive to corruption.

In 2020, the country’s business stability indicator decreased by 1.0 points from the previous year. Bolivia’s indicator score falls below the 25th percentile for the Western Hemisphere and 19.8 points below the regional average. The decline in Bolivia’s business stability indicator results from a lack of efficiency in their business regulatory system and transparency of government policies. Bolivia’s score has been consistently low since 2010, where the country’s decade average reached 30.6 points, with the highest score in 2019 of 31.7 points.

In 2020, Bolivia’s violence and security score was 45.1 points—a 10.9-point decline from the previous year. The country’s score falls within the lower percentile for the Western Hemisphere and is one of the worst performers in violence and security across the region. The violence and security indicator for Bolivia varied throughout the decade—reaching its lowest score of 44.5 in 2016 and its highest of 63.7 in 2018.

Brazil

Western Hemisphere / **South America**

CAPITAL
Brasília

TERRITORY
8,358,140 km²

POPULATION (2020)
212,559,409.00

GDP TOTAL (2020)
\$1.445T USD

GDP PER CAPITA (2020)
\$6,796.84 USD

INCOME GROUP
Upper middle income

Convention Implementation

69.8

In progress

6th of 31 western hemisphere
5th of 12 South American countries

Prevention

55.6

In progress

Criminalization and law enforcement

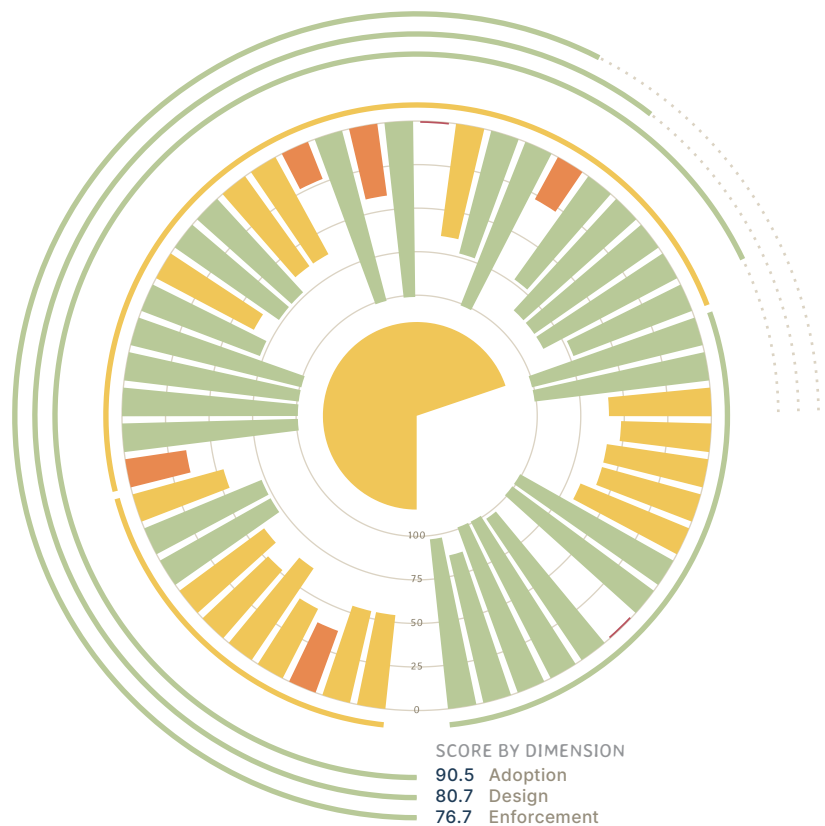
70.6

In progress

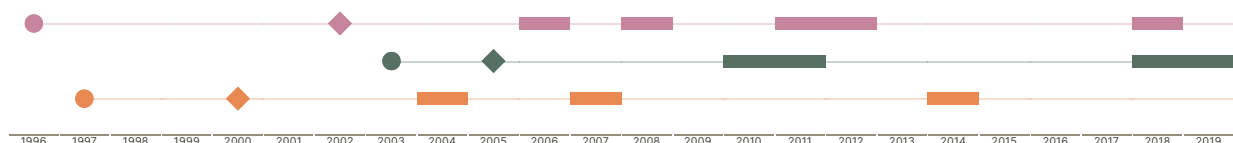
International cooperation

78.0

Implemented



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

MEASURES BY THEMATIC SECTION

Prevention

In progress

55.6

✓ Adoption 97.5 ✎ Design 73.3 ⚙ Enforcement 65.0

Standards of Conduct

In progress

53.1

✓ 100.0 ✎ 66.7 ⚙ 66.7

Enforcement of Standards of Conduct

In progress

53.1

✓ 100.0 ✎ 66.7 ⚙ 66.7

Training of Public Officials

Core-deficient

36.7

✓ 100.0 ✎ 50.0 ⚙ 50.0

Asset and Conflicts of Interests Declarations

Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⚙ 50.0

Transparency in Government Contracting

In progress

62.5

✓ 100.0 ✎ 66.7 ⚙ 83.3

Elimination of Favorable Tax Treatment

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Oversight Bodies

In progress

59.4

✓ 75.0 ✎ 66.7 ⚙ 83.3

Measures to Deter Domestic and Foreign Bribery

In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Encouraging Participation by Civil Society

In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Study of Other Preventive Measures

In progress

53.1

✓ 100.0 ✎ 66.7 ⚙ 66.7

Criminalization and law enforcement

In progress

70.6

✓ Adoption 90.0 ✎ Design 78.0 ⚙ Enforcement 80.0

Protection of Those who Report Acts of Corruption

Core-deficient

34.4

✓ 100.0 ✎ 33.3 ⚙ 66.7

Scope

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-in-Territory

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-by-National

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offender-in-Territory

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Passive Public Bribery

In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Active Public Bribery

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Abuse of Functions

In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Money Laundering

In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Participation and Attempt

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Active Foreign Bribery

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Illicit Enrichment

Core-deficient

21.9

✓ 50.0 ✎ 33.3 ⚙ 50.0

Use of State Property

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Illicit Acquisition of a Benefit

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Public Embezzlement

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Passive Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Bribery

In progress

64.1

✓ 50.0 ✎ 66.7 ⚙ 100.0

Private Embezzlement

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Obstruction of Justice

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Liability of Legal Persons

Core-deficient

26.6

✓ 75.0 ✎ 33.3 ⚙ 50.0

Statute of Limitations

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Prosecution, Adjudication and Sanctions

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Consequences and Compensation

Implemented

85.9

✓ 100.0 ✎ 100.0 ⚙ 83.3

Cooperation With Law Enforcement

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Asset Recovery

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

International cooperation

Implemented

78.0

✓ Adoption 86.7

✎ Design 90.0

⌚ Enforcement 78.9

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Convention as Legal
Basis for Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Automatic
Application Without
Treaty
In progress

50.8

✓ 100.0 ✎ 83.3 ⌚ 50.0

Prosecution Without
Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Assistance
In progress

66.4

✓ 50.0 ✎ 83.3 ⌚ 83.3

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act
No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Designate Central
Authorities
Implemented

96.9

✓ 75.0 ✎ 100.0 ⌚ 100.0

Responsibilities of
Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Communication
Between Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Special Investigative
Techniques
Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Technical
Cooperation
Implemented

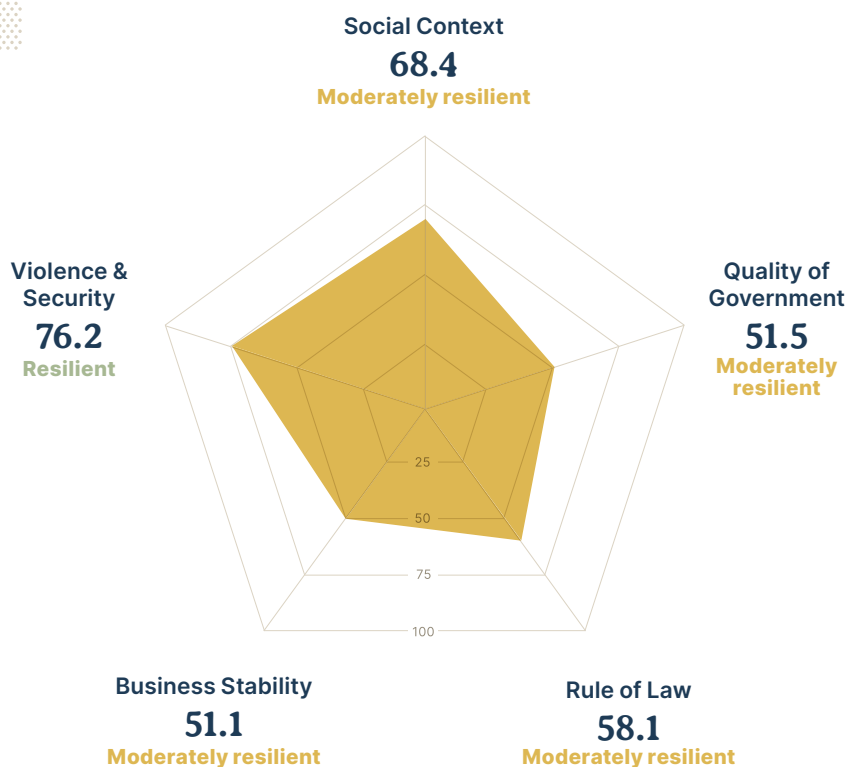
96.9

✓ 75.0 ✎ 100.0 ⌚ 100.0

Corruption Resilience

61.1

Moderately resilient

11th of 31 western hemisphere3rd of 12 South American countries

Analysis

Convention Implementation

Brazil signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on July 10, 2002. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since August 9, 2002. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2003, and subsequently ratified it on June 15, 2005. Brazil is also party to the OECD Anti-Bribery Convention (OECD-ABC), having signed it on December 17, 1997, and deposited the instrument of ratification on August 24, 2000. Accordingly, Brazil has undergone five rounds of review under MESICIC, one round of review under the UNCAC review mechanism, and three phases of evaluation by the OECD Working Group on Bribery.

Brazil's record in implementing its commitments to IACAC, UNCAC and OECD-ABC exhibits a large number of successes and very few failures. With an overall score of 69.8, the measures adopted place the country at the upper middle point of compliance with international norms, surrounded by Antigua and Barbuda (69.5), Mexico (69.7), Chile (70.5), and Peru (72.3). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the large majority of preventive measures are found to be in progress or implemented while a number of measures in the former sections—particularly within criminalization and law enforcement—receive failing scores. Consequently, a degree of progress is found in all three sections.

The prevention of corruption is undergoing, classified as “in progress” by its average score and with all but two measures given a score above 50—the training of public officials (36.7) and the adoption and enforcement of systems for registering asset and conflict of interests' declarations (43.8). Reflecting the generally equitable distribution of efforts, these two measures represent only a quarter of all measures for which Brazil received a failing score. Indeed, the large majority of preventive measures are considered to be in progress, including the initiatives to encourage the participation of civil society and actions to deter domestic and foreign bribery related to accounting regulations, which received very promising scores. The state of oversight bodies in Brazil is also in progress—while MESICIC points out a few issues, the UNCAC review mechanism highlights “[t]he National Strategy against Corruption and Money Laundering (ENCCLA) as a group integrated by public

institutions and bodies as well as some corporate entities that discusses initiatives to combat corruption and money laundering regarding the implementation of public policies.”

In terms of criminalization and law enforcement, Brazil shows strong results. The country is found to have fully implemented over one third of its commitments. Furthermore, all measures that are evaluated as remaining in progress received very promising scores and are mostly penalized by the lack of sufficient information to allow for a comprehensive assessment. The measures thus affected include key commitments such those pertaining to passive bribery in the public sector, the abuse of functions, money laundering, and embezzlement in the private sector. On the other hand, important measures remain unimplemented—i.e., the criminalization of passive bribery of foreign officials—or deficient at core, including the explicit criminalization of illicit enrichment (21.9), the liability of legal persons (26.6), and the protection of those who report acts of corruption (i.e., whistleblower protection) (34.4).

Finally, Brazil is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country's mild implementation of its commitments regarding international cooperation is reflected in over half of all measures within this section receiving an “implemented” score of various degrees—with only one measure found unimplemented due to the risk to extradition (raised by a lack of regulations on the concept of political offense).

Corruption Resilience

In 2020, Brazil's social context indicator declined by 1.1 points from the previous year—resulting in a score of 68.4. Despite the country's decrease in indicator score, Brazil enjoys widespread civil liberties and political rights. Its social context indicator ranks above the Western hemisphere average of 64.9 for 2020. Over the last decade, Brazil's highest social context indicator score was recorded in 2010 before dropping by 3.7 points in 2011 and continuing to fall by approximately 0.5 points each year. The organization Reporters Without Borders, which works toward safeguarding the right to freedom of information, has noted that journalists who report crime and corruption are more likely to face harassment, obstruction, and violence in Brazil. Following the 2018 elections, journalists critical of President Jair Bolsonaro

have faced harsh reprisal from the government and courts.

With respect to the quality of government indicators, Brazil's score declined by 1.0 points from the previous year—resulting in a score of 51.5. The country's score fell below the Western Hemisphere average for 2020 by 0.9 points. Since 2010, the country's score has consistently declined but this became more pronounced after the 2018 elections. Brazil's score for the quality of government indicator is not optimal, and it is largely attributed to the serious problem of corruption within the country.

The country's rule of law score in 2020 was 58.1—a 0.7-point decrease from the previous year. Despite this marginal decline in its score, Brazil's score surpasses the Western Hemisphere average by 7.0 points for 2020. From 2010 to 2020, Brazil's score varied by +/- 1.91 points from year to year, where it had the lowest score of 57.7 in 2016 and the highest score of 59.6 in 2018. The country's score is primarily influenced by the independent judicial system which is safeguarded by the country's progressive constitution. Moreover, Brazil's rule of law score reflects

decades of democratic rule and the establishment of merit-based appointments within its judicial system.

While the Brazilian judicial system has continued to improve since the 1990s, it struggles to maintain efficiency due to excessive workloads and the influence of external forces, particularly in rural areas of the country. Over the last decade, Brazil's score has experienced marginal increases in the business stability indicator—improving from 48.5 in 2010 to 51.1 in 2020. Brazil's business stability indicator score increased by 2.6 points from the previous year and falls 0.6 points above the Western Hemisphere average for 2020.


With respect to the violence and security indicators, Brazil's score has steadily improved since 2010. In 2020, Brazil's score increased by 14.9 points from the previous year—resulting in its highest score (76.2) attained over the last ten years—which exceeds the Western Hemisphere average by 21.2 points and falls within the top 75th percentile for the region.


Transparency


MAIN REPORTING NGO


Amarribo Brasil

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
May-2012	2010-2011	Executive Summary	English

Did the government make public the contact details for the country focal point?  **No**

Was civil society consulted in preparation for the self-assessment?  **No**

Was civil society invited to provide information to the official reviewers?  **Yes**

Was the self-assessment published online or provided to CSOs?  **Yes**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The Civil Society Parallel Review Report for Brazil was authored by the anticorruption NGO Amarribo. During this review, provisions within chapters III and IV of the UN Convention against Corruption were assessed, namely highlighting the implementation and enforcement of articles 15, 16, 17, 23, 26, 32, 33, and 46. The report cited that the biggest obstacle in preparing the report was the lack of readily available information. While the NGO was aided in the procurement of information by employees from the office of the Comptroller General of the Union (CGU), the data was either scattered across numerous government websites or entirely inaccessible. In terms of the legal framework, the report concluded that there were no significant discrepancies between domestic legislation and the UNCAC. However, several UNCAC requirements remained insufficiently implemented; namely the liability of corporations, the protection of victims and witnesses, the regulation of lobbying, and the improvement of rules to avoid influence peddling.

In terms of the enforcement system, delays in the prosecution of cases remain the most problematic obstacle. The number of corruption cases remains high, yet few offenders are sentenced. Unlike ordinary Brazilians, when high-ranking officials are accused of committing crimes, they are tried by higher courts that are not equipped to conduct investigations. This causes a delay in prosecution

which often results in the dismissal of the case as the statute of limitations is exceeded. Beyond impunity, deficiencies in the enforcement of the law on whistleblowers and witness protection as well as shortcomings in the confiscation of assets and property continue to cause significant obstacles in reaching UNCAC compliance.

Chile

Western Hemisphere / **South America**

CAPITAL
Santiago

TERRITORY
743,532 km²

POPULATION (2020)
19,116,209.00

GDP TOTAL (2020)
\$252.9B USD

GDP PER CAPITA (2020)
\$13,231.70 USD

INCOME GROUP
High income

Convention Implementation

70.5

In progress

5th of 31 western hemisphere
4th of 12 South American countries

Prevention

56.0

In progress

Criminalization and law enforcement

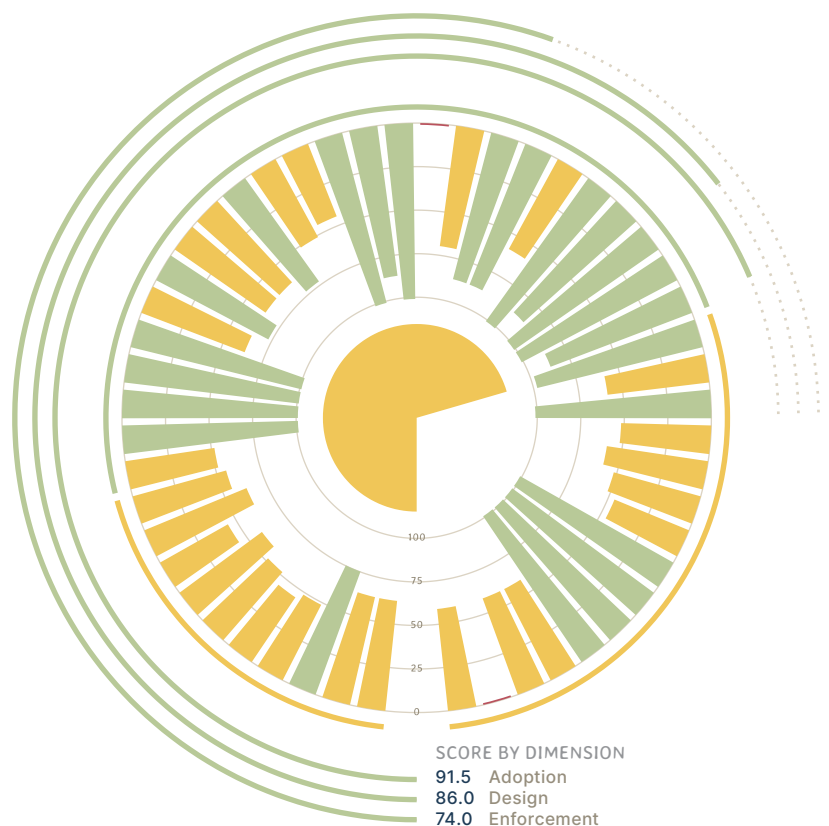
77.3

Implemented

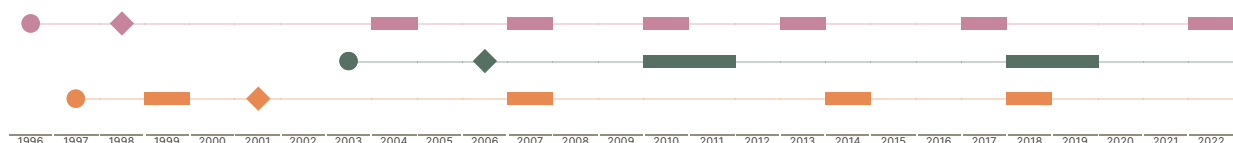
International cooperation

68.9

In progress



Anti-corruption conventions timeline



CONVENTIONS

■ IACAC - Inter-American Convention Against Corruption

■ UNCAC - United Nations Convention against Corruption

■ OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

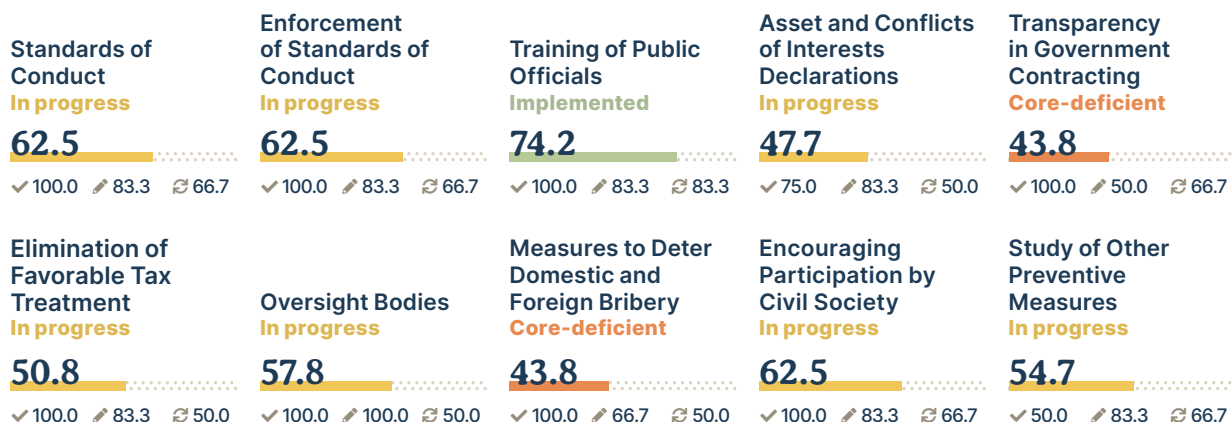
MEASURES BY THEMATIC SECTION

Prevention

In progress

56.0

✓ Adoption 92.5 ✎ Design 80.0 ⚙ Enforcement 61.7



Criminalization and law enforcement

Implemented

77.3

✓ Adoption 94.0 ✎ Design 87.3 ⚙ Enforcement 81.3



International cooperation

In progress

68.9

✓ Adoption 86.7 ✎ Design 87.8 ⚙ Enforcement 70.0

Assistance Without
Criminalization
Implemented

96.9

✓ 75.0 ✎ 100.0 ⚙ 100.0

Inclusion in
Extradition Treaties
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Convention as Legal
Basis for Extradition
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Automatic
Application Without
Treaty
In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Prosecution Without
Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Custody
In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Assistance
In progress

45.3

✓ 25.0 ✎ 50.0 ⚙ 100.0

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Responsibilities of
Central Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Communication
Between Central
Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Special Investigative
Techniques
No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Technical
Cooperation
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

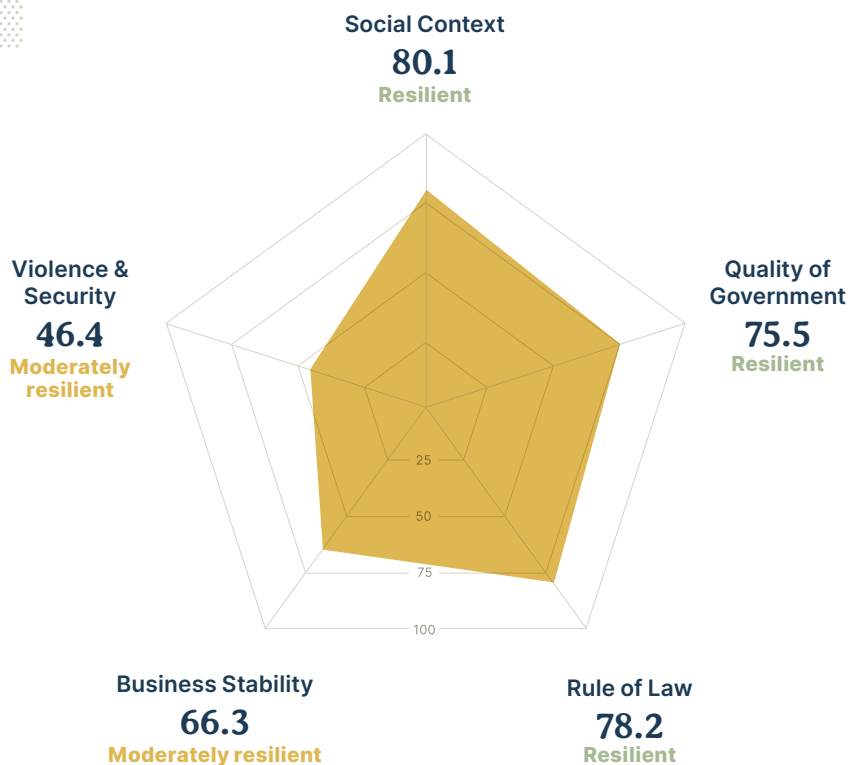
Corruption Resilience

69.3

Moderately resilient

3rd of 31 western hemisphere

2nd of 12 South American countries



Analysis

Convention Implementation

Chile signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on September 22, 1998. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 11, 2003, and subsequently ratified it on September 13, 2006. Chile is also party to the OECD Anti-Bribery Convention (OECD-ABC), having signed it on December 17, 1997, and deposited the instrument of ratification on April 18, 2001. Accordingly, Chile has undergone five rounds of review under MESICIC, one round of review under the UNCAC review mechanism, and four phases of evaluation by the OECD Working Group on Bribery.

Chile's record in implementing its commitments to IACAC, UNCAC, and OECD-ABC exhibits a number of successes and very few failures. With an overall score of 70.5, the measures adopted place the country at the higher point of compliance with international norms, surrounded by Mexico (69.7), Brazil (69.8), Peru (72.3), and Colombia (74.2). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the large majority of preventive measures are found to be in progress or implemented; furthermore, contrary to the regional pattern, Chile evidences higher performance in the implementation of measures pertaining to criminalization and law enforcement rather than international cooperation.

The prevention of corruption is undergoing, classified as "in progress" by its average score and with prominent measures given a score above 50—standards of conduct and their enforcement, the state of oversight bodies, and encouraging the participation of civil society, among others. Indeed, almost three quarters of all preventive measures are considered to be in progress, and the training of public officials in the country is considered to be implemented, even if mildly (74.2). Within this section, only two measures fall far from the target range—transparency in government contracting and the actions to deter domestic and foreign bribery related to accounting regulations—both of which receive a score of 43.8. These measures represent one third of all "core-deficient" scores given to Chile's implementation of international commitments, again reflecting the generally satisfactory distribution of progress.

In terms of criminalization of acts of corruption and related offenses, Chile shows mostly satisfactory results. The country is found to have successfully implemented several key commitments set out by the three conventions, criminalizing and enforcing the illicit acquisition of a benefit (i.e., influence trading), embezzlement in the public and private sectors, the obstruction of justice, as well as providing a long statute of limitations and broader consequences—such as the rescinding of contracts and obtaining compensation—for the commitment of corrupt offenses (as required by UNCAC), among others. Furthermore, most measures that are evaluated as remaining in progress—with actions against the active bribery of foreign officials (50.0) and the liability of legal persons (57.8) being exceptions here—received promising scores and are mostly penalized. However, there is a lack of sufficient information to allow for a comprehensive assessment. The measures thus affected include key commitments such as those pertaining to active and passive bribery in the public sector, the abuse of functions, money laundering, and bribery in the private sector. While these results and the average section score reflect the fact that Chile can be said to have largely implemented its commitments to the criminalization of corruption, a single issue remains—the criminalization of illicit enrichment, a commitment to which the country's efforts are still considered deficient for the aims of the conventions.

Chile is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country's ongoing efforts to implement its commitments regarding international cooperation is reflected in less than half of all measures within this section receiving an "implemented" score of various degrees. However, only one measure remains deficient or unimplemented: the regulation and application of special investigative techniques such as electronic surveillance, undercover operations, and others.

Corruption Resilience

Although Chile's social context indicator score decreased by 6.3 points from 2019 to 2020, the country's current score (80.1) continues to exceed the Western Hemisphere average by 15.2 points. Since 2010, Chile has consistently held high social context indicator scores—remaining within the 75th percentile for the Western Hemisphere region

throughout the decade. The country's score is largely attributed to guaranteed and protected civil liberties, political rights, and media freedom.

In terms of the quality of governance and institutions, Chile's indicator score falls within the top percentile and exceeds the Western Hemisphere regional average by 24.9 points, despite a 0.2-point decrease between 2019 and 2020. Over the last decade, the country's scores have varied between its highest score of 78.4 in 2010, and its lowest score of 74.3 in 2012. Chile's 2020 score—75.5—is largely attributed to the country's efficiency in ensuring fundamental rights, upholding checks on government power and maintaining impartial bureaucracy.

In 2020, Chile's rule of law indicator score (78.2) was the highest within the Western Hemisphere region. The country's score increased by 0.6 points from the previous year and exceeded the regional average by 27.1 points. Throughout the decade, Chile has been a top performer in the rule of law indicator—achieving its highest score of 78.2 in 2020 and its lowest score

of 73.1 in 2018. The country's high score is largely the result of an independent and effective judiciary, which is protected by the Chilean constitution and resistant to political pressures.

The business stability indicator for Chile decreased by 3.0 points between 2019 and 2020. Despite this decrease, Chile's score exceeds the Western Hemisphere average by 15.8 points and remains within the 75th percentile for 2020. Throughout the decade, Chile was consistently high-ranking—reaching its highest score of 76.2 in 2014 and its lowest score of 66.3 in 2020. Chile's business stability score is largely attributed to a free business environment with effective regulations and policies.


Unlike previous indicators, Chile's violence and security scores are the worst performing within the country. Over the last ten years, the country's score has varied within a range of 36.7 points—achieving their highest score of 83.1 in 2015 and their lowest score of 46.4 in 2020.


Transparency


MAIN REPORTING NGO


Chile Transparente

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Oct-2011	2010-2011	Executive Summary	English

Did the government make public the contact details for the country focal point?  **No**

Was civil society consulted in preparation for the self-assessment?  **No**

Was civil society invited to provide information to the official reviewers?  **Yes**

Was the self-assessment published online or provided to CSOs?  **No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The UNCAC parallel review report for Chile was authored by Chile Transparente, the Chilean chapter of Transparency International, during the first review cycle which took place between 2010 and 2011. The review assessed Chile's compliance in the implementation of articles found within chapters III and IV of the UN Convention against Corruption and mainly focused on articles 15, 16, 17, 23, 26, 32, 33, and 46. The authors reported that the availability of information, namely in regard to locating legislation related to UNCAC was relatively straightforward—all of Chile's laws are published and accessible online (www.leychile.cl). However, locating statistics related to the prosecution of UNCAC relevant offenses or information on the details of these cases proved to be difficult. The NGO author requested information using the Transparency Law, yet the resulting data they obtained was limited or incomplete.

The report's findings highlighted several key details. In regard to the country's legal framework, the authors found that Chile was largely compliant with the aforementioned UNCAC provisions. However, major deficiencies were found within several areas, namely those of sanctions, whistleblower protections, and bank secrecy. The organization also noted there were no mechanisms within the legal framework to prevent conflicts of interest. In terms of the country's enforcement system, the report found that there was a general lack of capacity to sufficiently conduct financial investigations. To mitigate these concerns, Chile Transparente noted several

recommendations for priority action by state officials. The organization called for the implementation of quicker probity and transparency agendas, and enhanced training for public officials. The recommendations also called for the introduction of an easily accessible online complaint mechanism which guaranteed no retribution against those who utilize it.

Colombia

Western Hemisphere / **South America**

CAPITAL
Bogotá

TERRITORY
1,109,500 km²

POPULATION (2020)
50,882,884.00

GDP TOTAL (2020)
\$271.3B USD

GDP PER CAPITA (2020)
\$5,332.77 USD

INCOME GROUP
Upper middle income

Convention Implementation

74.2

Implemented

3rd of 31 western hemisphere
2nd of 12 South American countries

Prevention

60.8

In progress

Criminalization and law enforcement

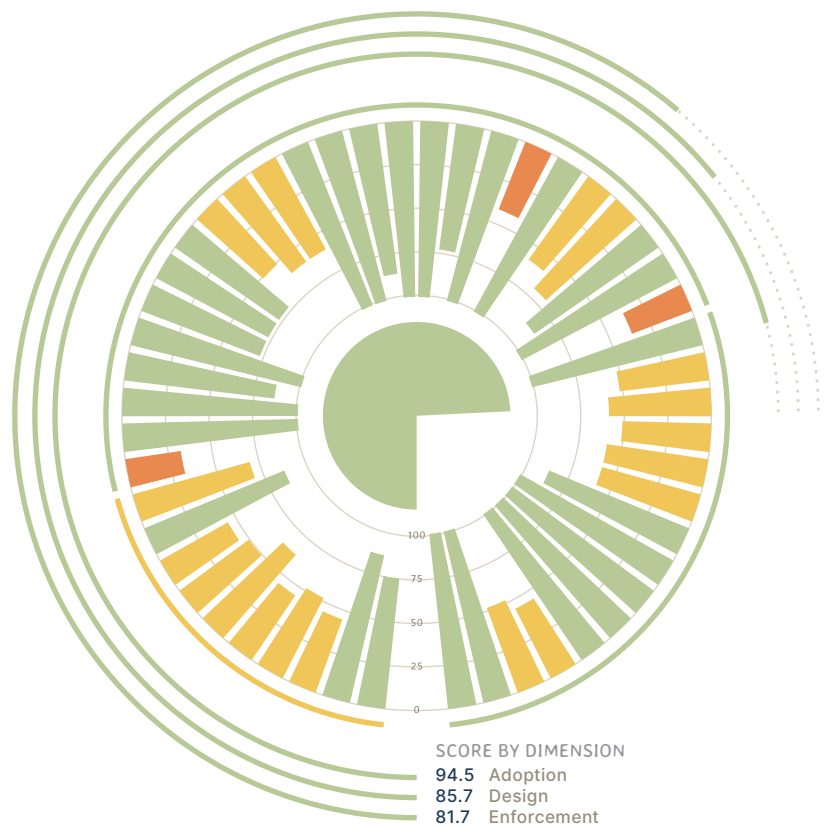
77.9

Implemented

International cooperation

77.0

Implemented



Anti-corruption conventions timeline



CONVENTIONS

■ IACAC - Inter-American Convention Against Corruption

■ UNCAC - United Nations Convention against Corruption

■ OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

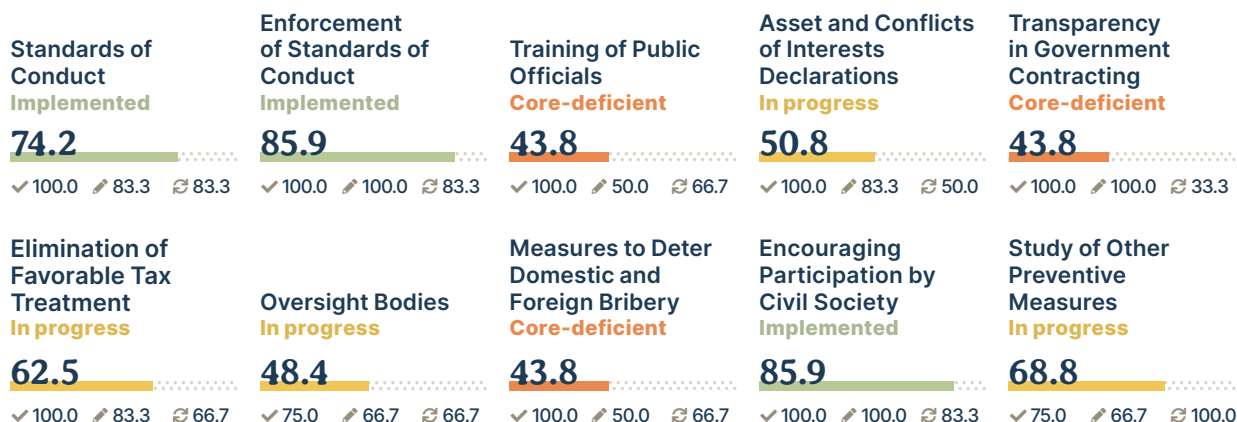
MEASURES BY THEMATIC SECTION

Prevention

In progress

60.8

✓ Adoption 95.0 ✎ Design 78.3 ⚙ Enforcement 70.0



Criminalization and law enforcement

Implemented

77.9

✓ Adoption 92.0 ✎ Design 84.7 ⚙ Enforcement 88.7



International cooperation

Implemented

77.0

✓ Adoption 98.3

✎ Design 92.2

⌚ Enforcement 77.8

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
In progress

50.8

✓ 100.0 ✎ 83.3 ⌚ 50.0

Convention as Legal
Basis for Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Automatic
Application Without
Treaty
In progress

50.0

✓ 75.0 ✎ 66.7 ⌚ 66.7

Prosecution Without
Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Assistance
Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Responsibilities of
Central Authorities
Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⌚ 50.0

Communication
Between Central
Authorities
In progress

50.8

✓ 100.0 ✎ 83.3 ⌚ 50.0

Special Investigative
Techniques
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Technical
Cooperation
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

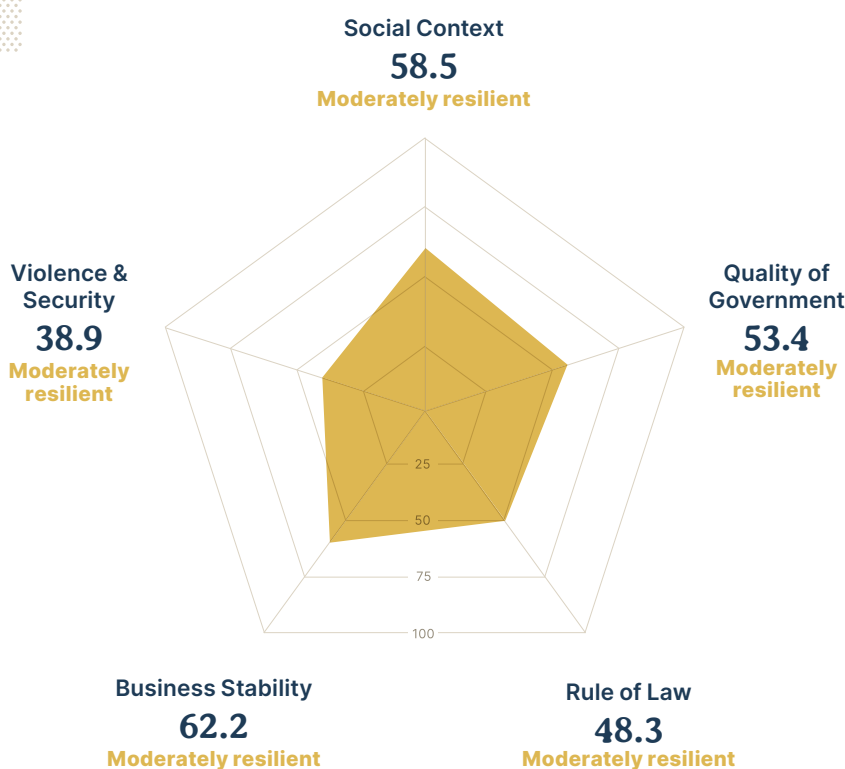
Corruption Resilience

52.3

Moderately resilient

21st of 31 western hemisphere

8th of 12 South American countries



Analysis

Convention Implementation

Colombia signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on November 25, 1998. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on October 27, 2006. Colombia is also party to the OECD Anti-Bribery Convention (OECD-ABC), having deposited the instrument of accession on November 20, 2012. Accordingly, Colombia has undergone five rounds of review under MESICIC, one round of review under the UNCAC review mechanism, and three phases of evaluation by the OECD Working Group on Bribery.

Colombia's record in implementing its commitments to IACAC, UNCAC and OECD-ABC exhibits a large number of successes and very few failures. With an overall score of 74.2, the measures adopted place the country at the higher point of compliance with international norms, surrounded by Chile (70.5), Peru (72.3), Argentina (75.2), and Costa Rica (76.3). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the majority of preventive measures are found to be in progress or implemented, while an equal number of failed measures pertain to criminalization and law enforcement. Consequently, a reasonably well distributed degree of progress is found in all three sections.

The prevention of corruption is undergoing, classified as "in progress" by its average score and with all but three measures given a score above 50—the training of public officials, transparency in government contracting, and actions to deter domestic and foreign bribery related to accounting regulations—all three of which receive a score of 43.8. Indeed, the majority of preventive measures are considered to be in progress, including the adoption and enforcement of systems for registering asset and conflict of interests' declarations and the state of oversight bodies, among others. Significantly, standards of conduct and their enforcement in Colombia, as well as the initiatives to encourage the participation of civil society, are found to be almost fully implemented. Success in this regard is highlighted due to the difficulties experienced by other countries in the region; concerning one area of the assessed measure, MESICIC reported in its first round that Colombia's "standards and mechanisms considered seek to prevent conflicts of interest with regard to public servants of all levels... Other measures adopted in

Colombia also contribute to preventing conflicts of interest and achieving the purposes referred to in the Convention." Similar praise is extended to the country's efforts to ensure the conservation and adequate use of resources and whistleblowing requirements in the public sector.

In terms of criminalization and law enforcement, Colombia shows strong results. The country is found to have implemented over half of its commitments, including the full implementation of measures against illicit enrichment, embezzlement in the public sector, and the passive bribery of foreign officials; as well as the liability of legal persons and legal mechanisms to facilitate cooperation with law enforcement (e.g., plea bargain), both of which are required by UNCAC. Furthermore, key commitments that are evaluated as remaining in progress received very promising scores—the criminalization of active and passive bribery in the public sector, abuse of functions, and bribery in the private sector. Three measures are found deficient within this section—the criminalization of obstruction of justice in all its forms (40.6), asset recovery (35.9), and the protection of those who report acts of corruption (31.2).

Finally, Colombia is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country's mild implementation of its commitments regarding international cooperation is reflected in over half of all measures within this section receiving an "implemented" score and only one measure found deficient at core—the responsibilities of central authorities charged with receiving requests for assistance, whose features are evaluated as inconsistent with the aims of the conventions.

Corruption Resilience

With respect to the social context indicator, Colombia's score experienced a marginal decrease of 1.0 points between 2019 and 2020—resulting in a score of 58.5—which falls 6 points below the Western Hemisphere average of 64.9 and into the 25th percentile for the region. Over the last decade, Colombia has consistently scored below the Western Hemisphere average. Despite constitutional protections for the freedom of expression and opinion, the Colombian media continue to face serious challenges at the hands of the government. Since the 2017 national strike—which demanded President Duque's administration take greater actions toward thwarting

corruption within the country—the media have been labeled and treated as enemies of the state. Hundreds of attacks against members of the press have been reported, both during and following the 2017 national strike, while serious media restrictions have left an estimated 7.8 million Colombians without access to local news within their municipalities.

In terms of the quality of governance and institutions, Colombia's score decreased by 3.0 points between 2019 and 2020—resulting in a score of 53.4. While the country's score saw marginal improvements from 2010 to 2020, it remained just above the regional average by 2.8 points. Colombia's 2020 score is largely influenced by concerning levels of corruption, flawed democratic institutions, and the reemergence of conflict with the Revolutionary Armed Forces of Colombia (FARC).

The rule of law indicator score saw a marginal decrease of 0.9 points between 2019 and 2020—resulting in a score of 48.3—which falls under the Western Hemisphere average of 51.1 by 2.8 points. While Colombia's rule of law indicator score fluctuated over the last decade, it consistently remained below the regional average. For example, between 2010 and 2020 the country's average rule of law score was 48.8, while its regional counterparts held an average of 50.6 during the same period of time. Colombia's score is largely influenced by the obstacles faced by the judiciary, which stem from institutionalized corruption. In recent years, allegations of corruption and extortion have

emerged—incriminating the country's supreme court justices and exposing a network (the Cartel de la Toga) of bribery among judges, lawyers, and political elites.

Despite problems with corruption, Colombia's business stability score (62.2) ranked within the higher percentile of the region—exceeding the regional average by 11.7 points in 2020. While Colombia's business stability score only saw a marginal increase of 0.1 points from the previous year, the country continues to maintain an open business environment and is home to the fourth largest economy in the region. Additionally, Colombia has signed a bilateral trade agreement with the United States, which has provided further incentive for the country to improve its regulatory system and policies impacting its business environment.


In terms of the violence and security indicator, Colombia ranks within the lower percentile for the region with a score of 38.9—a 1.6-point decrease from 2019. Despite the country's low score in 2020, Colombia saw significant improvements in its rule of law score over the last decade, increasing a total of 12.4 points between 2010 and 2020. More specifically, the country's score increased following the 2016 peace accords with FARC but began to decrease again as relations between the government and FARC deteriorated in 2017. Beyond these conditions, Colombia's score was influenced by a history of homicide and insecurity related to organized crime networks and drug trafficking.


Transparency


MAIN REPORTING NGO

Corporacion Transparencia Por Colombia

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Feb-2013	2011-2012	Executive Summary	Spanish

Did the government make public the contact details for the country focal point?  **No**

Was civil society consulted in preparation for the self-assessment?  **Yes**

Was civil society invited to provide information to the official reviewers?  **No**

Was the self-assessment published online or provided to CSOs?  **No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The parallel country review report for Colombia took place between 2011 and 2012 and was led by Corporacion Transparencia Por Colombia, the Colombian chapter of Transparency International. While both the executive summary and full report were available online, the documents were only accessible in Spanish. Therefore, the following is a translated summary of key points and details highlighted within the report. First, the report noted that the Colombian government did not release the information or contact details of the officials responsible for leading the review process within the country. Transparency for Colombia was able to receive access to UNCAC-related documents and data as a result of persistent communication with government officials which were working on international anti-corruption conventions. The availability of information was scarce, many statistics were inaccessible, and it remained unclear which government entities were tasked with their management.

In terms of the legal framework, the report noted that Colombia has complied with the implementation of the regulations found within chapters III and IV of the Convention. The country has also made significant strides in criminalizing offenses against public administration, and improved policies on extradition. While gaps in regulation still exist, the report's findings show that the largest obstacle stunting Colombia's compliance are the deficiencies in the implementation of regulations. More specifically, there is concern that the number of individuals convicted of crimes against the public administration do not reflect the reality of corruption within the country. The report notes that this can only be mitigated by providing adequate tools for investigating acts of corruption, training public officials to recognize these issues, and creating a culture of open and transparent access to public information. The report concludes that priority actions must focus on the immediate adoption of a comprehensive public policy to combat corruption.

Costa Rica

Western Hemisphere / **Central America**

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
San José	51,060 km ²	5,094,114.00	\$61.52B USD	\$12,076.81 USD	Upper middle income

Convention Implementation

76.3

Implemented

1st of 31 western hemisphere
1st of 8 Central American countries

Prevention

64.0

In progress

Criminalization and law enforcement

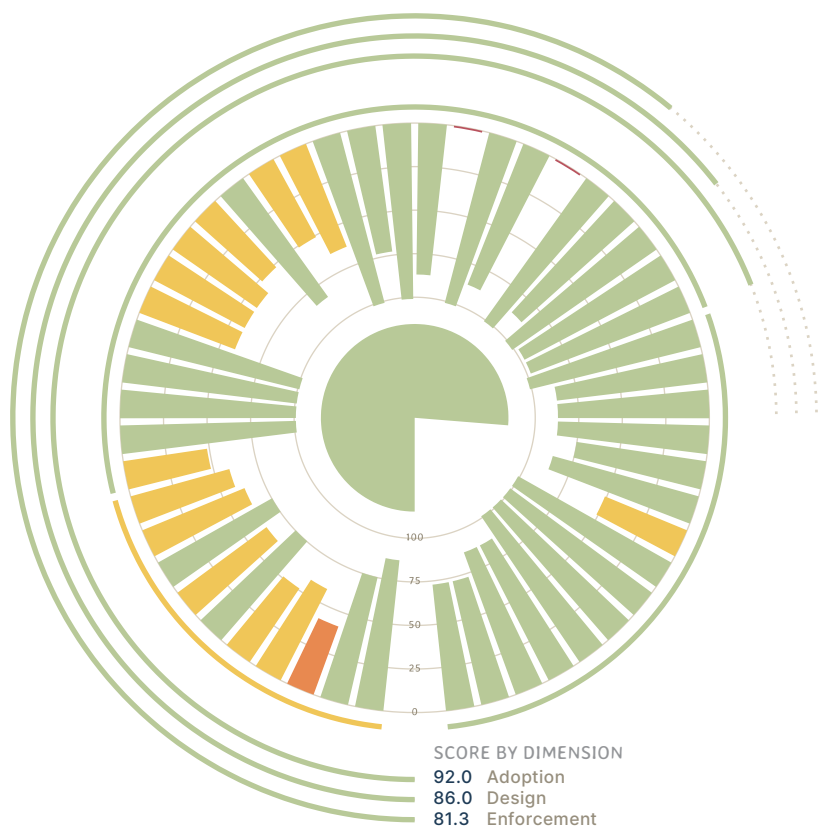
75.6

Implemented

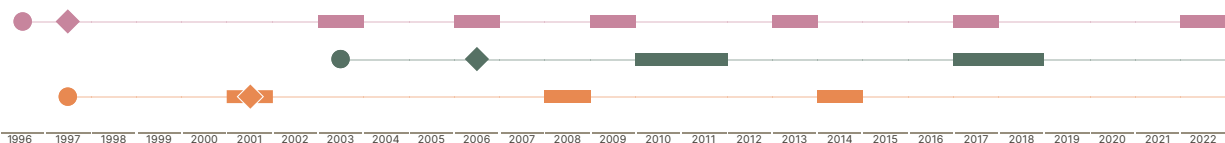
International cooperation

85.6

Implemented



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption	UNCAC - United Nations Convention against Corruption	OECD Anti-Bribery Convention
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KEY EVENTS

Signed	Ratified/acceded	Review rounds
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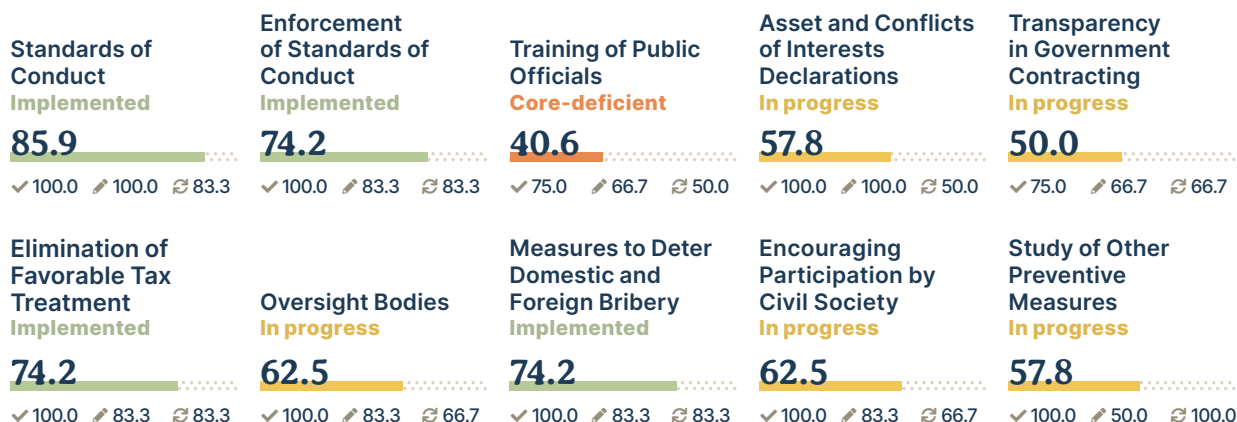
MEASURES BY THEMATIC SECTION

Prevention

In progress

64.0

✓ Adoption 95.0 ✎ Design 80.0 ⚙ Enforcement 73.3



Criminalization and law enforcement

Implemented

75.6

✓ Adoption 87.0 ✎ Design 83.3 ⚙ Enforcement 80.7



International cooperation

Implemented

85.6

✓ Adoption 98.3

✎ Design 94.4

⌚ Enforcement 87.8

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Convention as Legal
Basis for Extradition
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Automatic
Application Without
Treaty
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Prosecution Without
Extradition
Implemented

74.2

✓ 100.0 ✎ 83.3 ⌚ 83.3

Custody
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Assistance
In progress

50.0

✓ 75.0 ✎ 66.7 ⌚ 66.7

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Responsibilities of
Central Authorities
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Communication
Between Central
Authorities
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Special Investigative
Techniques
In progress

71.9

✓ 100.0 ✎ 66.7 ⌚ 100.0

Technical
Cooperation
In progress

71.9

✓ 100.0 ✎ 100.0 ⌚ 66.7

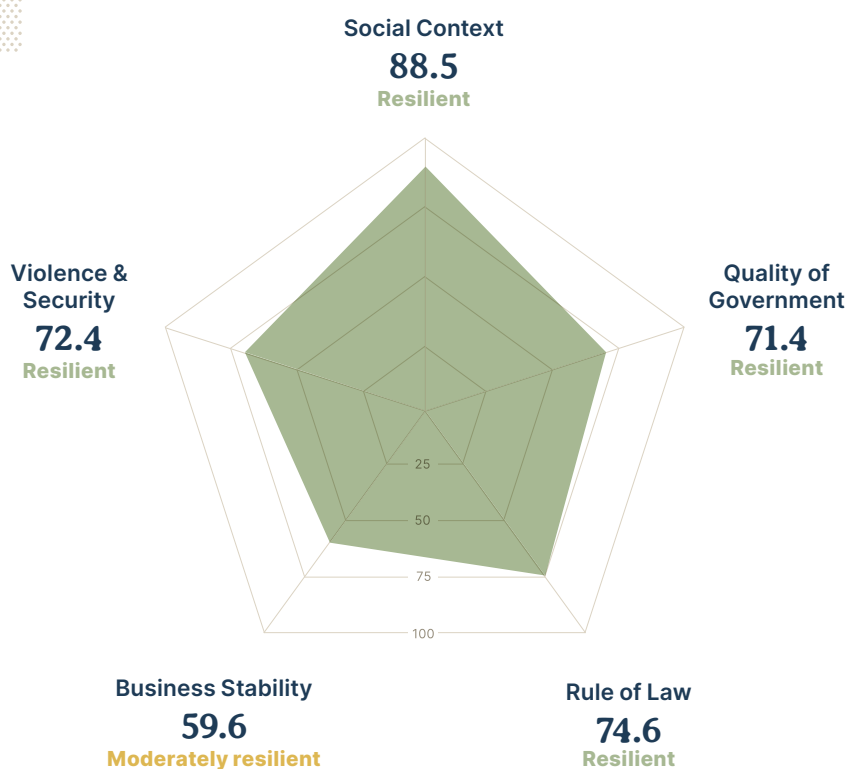
Corruption Resilience

73.3

Resilient

2nd of 31 western hemisphere

1st of 8 Central American countries



Analysis

Convention Implementation

Costa Rica signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on May 9, 1997. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on March 21, 2007. Costa Rica is also party to the OECD Anti-Bribery Convention (OECD-ABC), having deposited the instrument of accession on May 24, 2017. Accordingly, Costa Rica has undergone six rounds of review under MESICIC (of which only the first five were considered here, as the final report for the sixth round was only adopted on September 16, 2021), one round of review under the UNCAC review mechanism, and two phases of evaluation by the OECD Working Group on Bribery.

Costa Rica's record in implementing its commitments to IACAC, UNCAC and OECD-ABC exhibits a large number of successes and very few failures. With an overall score of 76.3, the measures adopted place the country at the highest level of compliance with international norms in the region, followed by Argentina (75.2) and Colombia (74.2). In fact, three out of every five measures evaluated as implemented, and only three measures across all section received a failing score—one core-deficient and two fully unimplemented. Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the great majority of preventive measures are found to be in progress or implemented; consequently, a reasonably well distributed degree of progress is found in all three sections.

The prevention of corruption is undergoing, with a promising score of 64.0 and all of the measures evaluated as “in progress” given a score of 50 or above—transparency in government contracting (50.0), systems for registering asset and conflict of interests' declarations (57.8), the study of preventive measures related to equitable compensation (57.8), the state of oversight bodies (62.5), and initiatives to encourage the participation of civil society (62.5). Within this section, only one measures is found somewhat deficient—the training of public officials (40.6). Other measures in this section are considered to be implemented—although none of them fully—including the adoption of standards of conduct and their enforcement, which are highlighted here due to the difficulties experienced in that regard by other countries in the region.

In terms of criminalization and law enforcement, Costa Rica shows strong results. The country is found to have implemented almost two thirds of its commitments, including the full criminalization of embezzlement in the public and private sectors, as well as providing a long statute of limitations and broader consequences—such as the rescinding of contracts and obtaining compensation—for the commitment of corrupt offenses (as required by UNCAC). However, important measures remain in progress, such as those pertaining to money laundering and the active bribery of foreign officials. Other measures are similarly found in progress due to weaknesses in data production; these include active and passive bribery in the public sector and the abuse of functions. Within this section, only two measures are found to be completely lacking—the liability of legal persons (required by UNCAC and OECD-ABC) and the specific criminalization of bribery in the private sector (required by UNCAC).

Finally, Costa Rica is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country's active implementation of its commitments regarding international cooperation is another point worth highlighting, with the large majority of measures within this section receiving an “implemented” score of various degrees.

Corruption Resilience

Between 2019 and 2020, Costa Rica's social context indicator score saw a marginal increase of 0.4 points—resulting in a score of 88.5—which falls within the 75th percentile for countries within the Western Hemisphere. Over the last decade, Costa Rica's indicator score retained consistently high measures, ranging between a low of 87.5 in 2017 and a high of 89.7 in 2010. When compared to its regional counterparts, Costa Rica is the safest country for journalists. This is largely due to guarantees safeguarding the freedom of expression. Beyond these conditions, Costa Rica's 2020 score is mainly attributed to respected civil liberties, political rights, and media freedom which remain protected by progressive legislation.

With respect to the quality of governance and institutions, Costa Rica is one of the highest performing countries within this indicator. In 2020, Costa Rica's score increased by 6.1 points from the previous year—resulting in a score of 71.4—which

exceeds the Western Hemisphere average of 50.6 by 20.8 points. The country's score reflects a decade average of 69.9, achieving its lowest score of 65.3 in 2019 and its highest score of 72.4 in 2018. The quality of government score for Costa Rica in 2020 was largely determined by the country's high performance in fundamental rights, checks on government, impartial and effective administration, control of corruption, and effective and transparent institutions. In Central America, where many countries suffer from weak democracies and widespread corruption, Costa Rica's achievements are remarkable.

Costa Rica's rule of law score (74.6) exceeds the regional average by 23.5 points and falls within the top 75th percentile. Over the last decade, the country has retained consistently high scores within this indicator, and this is largely attributed to the successful implementation of anti-corruption laws within the country—in addition to maintaining an independent judiciary which is impermeable to the influence of political actors.

Over the last decade, Costa Rica's business stability indicator has steadily increased from their lowest score of 57.2 in 2010, to their highest score of 59.6 in 2020. The country's score falls within the 75th percentile for the region and exceeds the average for Western Hemisphere countries by 9.1 points. Costa Rica's score for business stability is largely influenced by effective regulations, but there are occasions when policies regarding property rights are contradictory or incomplete.


With respect to the violence and security indicator, Costa Rica is a top performer and its 2020 score—72.4—falls within the top percentile. While the country's indicator score declined by 4.3 points from the previous year, Costa Rica's score significantly exceeds the regional average of 55.0 for 2020. In 2017, Costa Rica strengthened its anti-money laundering legal framework, however threats posed by organized crime and the trafficking of narcotics continue to be a major cause for concern.


Transparency


MAIN REPORTING NGO


Asociación Costa Rica Íntegra (CRI)

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Mar-2021	2018-2019	Full Report	English

Did the government make public the contact details for the country focal point?  **Yes**

Was civil society consulted in preparation for the self-assessment?  **No**

Was civil society invited to provide information to the official reviewers?  **No**

Was the self-assessment published online or provided to CSOs?  **No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The Civil Society Parallel Review report on Costa Rica's compliance with UNCAC was authored by the Asociación Costa Rica Íntegra (CRI), the Costa Rican chapter of Transparency International, based on information that was obtained between 2018 and 2019. The report assessed Costa Rica's compliance with the implementation and enforcement of articles found within chapters II and V of UNCAC. Generally, the report noted that UNCAC-related information was easily obtainable and accessible. Statistics and information on follow-up reports authored by national and international organizations were readily available online. With that said, no information on the recovery, return, or disposal of assets could be found online. In regard to the legal framework on anti-corruption, the report notes that Costa Rica has a comprehensive legal system—but there is still room for improvement in strengthening preventive approaches. The report also highlights several deficiencies limiting Costa Rica's compliance progress, chief among these is the lack of a coordinating entity to lead prevention efforts.

There is also no domestic policy that identifies objectives for the fight against corruption. Significant gaps in the country's ability to recover and direct the return of assets are also a cause for concern. Secondly, there are few mechanisms that enable reporting and whistleblower protections. The report's findings emphasized several areas for priority actions to address major deficiencies. Namely, the reviewing organization called for the strengthening

of preventive anti-corruption policies and practices by consolidating responsibilities for anti-corruption practices into a single entity. Moreover, preventive anti-corruption bodies should be provided with additional resources to carry out regulatory reform reports, provide greater input to the Public Prosecutor's Office, and strengthen coordination across agencies.

Cuba

Western Hemisphere / **Caribbean**

CAPITAL
Havana

TERRITORY
103,800 km²

POPULATION (2019)
11,326,616.00

GDP TOTAL (2019)
\$103.1B USD

GDP PER CAPITA (2020)
\$9,099.67 USD

INCOME GROUP
Upper middle income

Convention Implementation

69.3

In progress

9th of 31 western hemisphere
2nd of 11 Caribbean countries

Prevention

85.9

Implemented

Criminalization and law enforcement

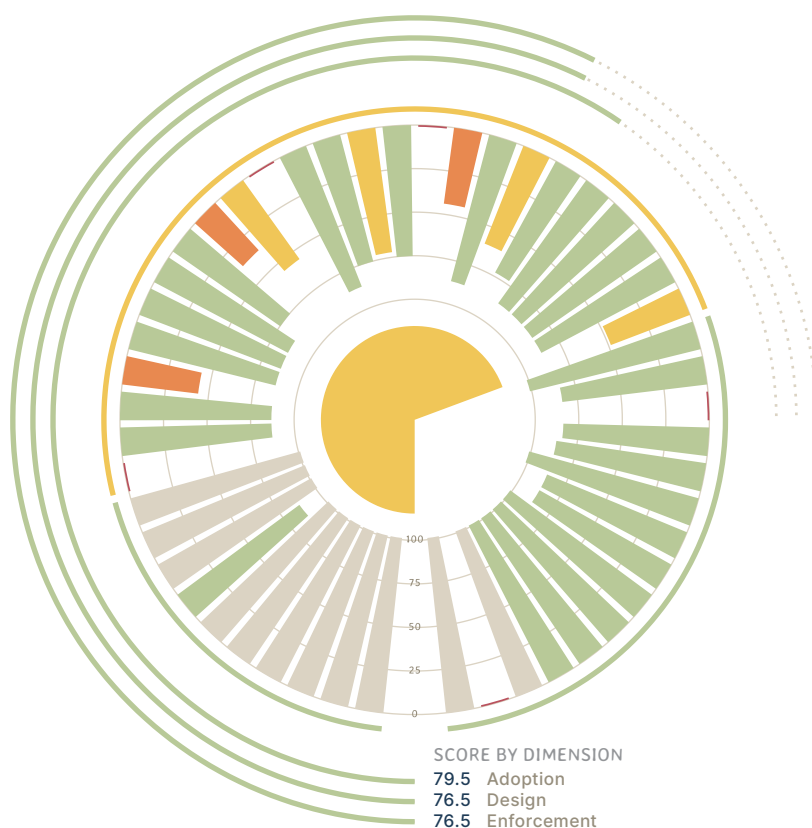
63.8

In progress

International cooperation

78.7

Implemented



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

MEASURES BY THEMATIC SECTION

Prevention

Implemented

85.9

✓ Adoption 100.0 ✎ Design 100.0 ⚙ Enforcement 83.3

Standards of Conduct	Enforcement of Standards of Conduct	Training of Public Officials	Asset and Conflicts of Interests Declarations	Transparency in Government Contracting
Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A
Elimination of Favorable Tax Treatment	Oversight Bodies Implemented	Measures to Deter Domestic and Foreign Bribery	Encouraging Participation by Civil Society	Study of Other Preventive Measures
Not applicable	85.9	Not applicable	Not applicable	Not applicable
✓ N/A ✎ N/A ⚙ N/A	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A

Criminalization and law enforcement

In progress

63.8

✓ Adoption 78.0 ✎ Design 73.3 ⚙ Enforcement 73.3

Protection of Those who Report Acts of Corruption No implementation	Scope Implemented	Jurisdiction: Offense-in-Territory Implemented	Jurisdiction: Offense-by-National Core-deficient	Jurisdiction: Offender-in-Territory Implemented
0.0	85.9	85.9	43.0	85.9
✓ 0.0 ✎ 0.0 ⚙ 0.0	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 50.0 ✎ 50.0 ⚙ 83.3	✓ 100.0 ✎ 100.0 ⚙ 83.3
Passive Public Bribery Implemented	Active Public Bribery Implemented	Abuse of Functions Implemented	Money Laundering Core-deficient	Participation and Attempt In progress
85.9	85.9	74.2	35.9	54.7
✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 100.0 ✎ 83.3 ⚙ 100.0	✓ 100.0 ✎ 83.3 ⚙ 83.3	✓ 75.0 ✎ 33.3 ⚙ 83.3	✓ 50.0 ✎ 66.7 ⚙ 83.3
Active Foreign Bribery No implementation	Illicit Enrichment Implemented	Use of State Property Implemented	Illicit Acquisition of a Benefit In progress	Public Embezzlement Implemented
0.0	85.9	74.2	71.1	74.2
✓ 0.0 ✎ 0.0 ⚙ 0.0	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 100.0 ✎ 83.3 ⚙ 83.3	✓ 75.0 ✎ 83.3 ⚙ 83.3	✓ 100.0 ✎ 83.3 ⚙ 83.3
Passive Foreign Bribery No implementation	Private Bribery Core-deficient	Private Embezzlement Implemented	Obstruction of Justice In progress	Liability of Legal Persons In progress
0.0	43.0	85.9	59.4	71.9
✓ 0.0 ✎ 0.0 ⚙ 0.0	✓ 50.0 ✎ 50.0 ⚙ 83.3	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 75.0 ✎ 66.7 ⚙ 83.3	✓ 100.0 ✎ 100.0 ⚙ 66.7
Statute of Limitations Implemented	Prosecution, Adjudication and Sanctions Implemented	Consequences and Compensation Implemented	Cooperation With Law Enforcement Implemented	Asset Recovery In progress
85.9	85.9	85.9	85.9	47.7
✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 100.0 ✎ 100.0 ⚙ 83.3	✓ 75.0 ✎ 50.0 ⚙ 83.3

International cooperation

Implemented

78.7

✓ Adoption 80.8

✎ Design 80.8

⌚ Enforcement 82.1

Assistance Without
Criminalization

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties

Implemented

82.8

✓ 75.0 ✎ 83.3 ⌚ 100.0

Convention as Legal
Basis for Extradition

No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Automatic
Application Without
Treaty

Implemented

82.8

✓ 75.0 ✎ 83.3 ⌚ 100.0

Prosecution Without
Extradition

Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Custody

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Assistance

Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Impossibility of
Claiming Bank
Secrecy

Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Limited Use of
Information

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Responsibilities of
Central Authorities

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Communication
Between Central
Authorities

Not applicable

✓ N/A ✎ N/A ⌚ N/A

Special Investigative
Techniques

No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Technical
Cooperation

Not applicable

✓ N/A ✎ N/A ⌚ N/A

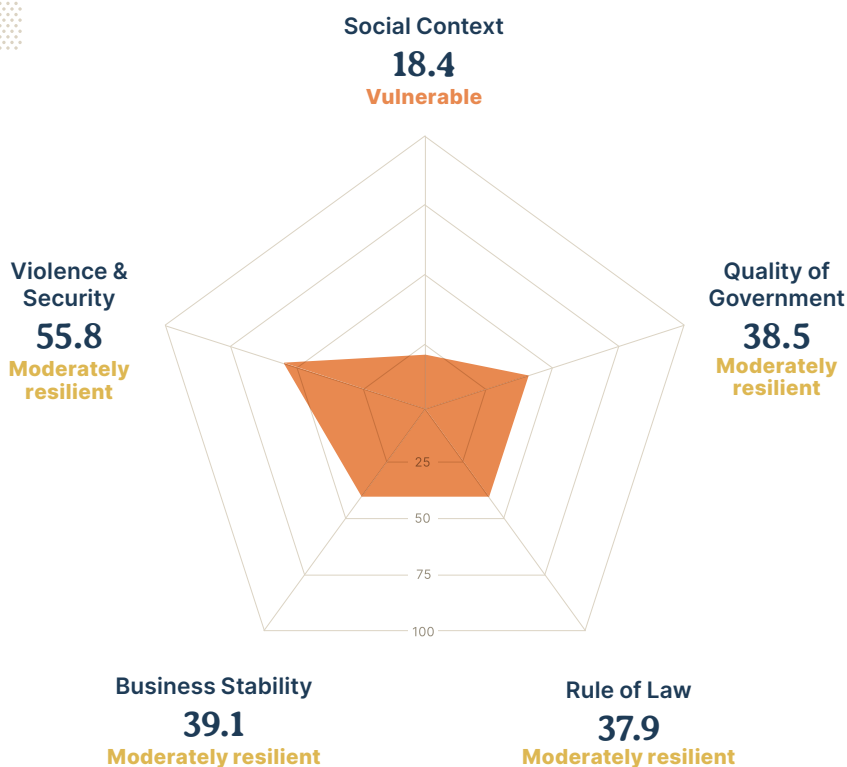
Corruption Resilience

37.9

Vulnerable

28th of 31 western hemisphere

10th of 11 Caribbean countries



Analysis

Convention Implementation

Cuba signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2005, and ratified it on February 9, 2007. Accordingly, Cuba has undergone one round of review under the UNCAC review mechanism.

Cuba's record in implementing its commitments to UNCAC exhibits a large number of successes and a few failures. With an overall score of 69.3, the measures adopted place the country at the upper middle point of compliance with international norms, surrounded by Guatemala (67.2), Nicaragua (67.9), Antigua and Barbuda (69.5), and Mexico (69.7). Despite achieving higher success in regard to international cooperation rather than criminalization and law enforcement (as is the case throughout the region) the overall difference is not prominent.

Regarding the prevention of corruption, the country's absence from the Organization of American States (OAS) does not allow for the assessment of most preventive measures, as they are not covered by the UNCAC review mechanism during its first round. The sole exception is the state of oversight bodies, for which Cuba receives a score of 85.9 ("implemented") reflecting the availability of "sufficient legal tools in place to safeguard the activities of the competent authorities as regards action against corruption. Training is also provided for staff." However, no other information is available.

In terms of criminalization and law enforcement, Cuba shows promising results, with over half of all measures within this section found to be successfully implemented, including those pertaining to active and passive bribery in the public sector, the abuse of functions, illicit enrichment, and embezzlement in the public and private sectors, among others. On the other hand, a few significant measures remain fully unimplemented—the criminalization of active and passive bribery of foreign officials, and the protection of those who report acts of corruption (i.e., whistleblower protection). Concerning the latter, the UNCAC review mechanism reports that "[t]he Cuban authorities have stated that it has not, to date, been necessary to provide protection measures for witnesses or experts or for reporting persons." Other measures are considered to be deficient at core, particularly the criminalization of money laundering (35.9) and bribery in the private sector (43.0). Two measures still in progress show promising results nonetheless: the liability of legal persons and the criminalization of illicit acquisition of a benefit (i.e., influence trading), both of which receive a score of 71.9.

Finally, Cuba is found only partially compliant with its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism reports that "Cuba has not established special rules on jurisdiction in cases where an offense is committed against one of its nationals... According to the Cuban authorities, such a case may proceed on the basis of article 5, paragraphs 1, 2 and 3, of the Criminal Code [but there has been] no specific cases under this heading." Concerning international cooperation, "Cuba made a declaration concerning article 44, paragraph 6, stating that it would not consider the Convention to be a legal basis for cooperation on extradition." The country also lacks specific provisions on the use of special investigative techniques such as electronic surveillance, undercover operations, and others. Despite these deficiencies, the overall level of implementation of the country's commitments in this section shows a generally positive result, with an average section score of 78.7 and all but two measures classified as "implemented".

Corruption Resilience

Cuba's social context indicator declined by 1.3 points from the previous year—and remains alarming low at 18.4—falling 46.5 points below the Western Hemisphere average in 2020. Over the last decade, Cuba's social context score failed to exceed the threshold of the lowest percentile, and this is largely caused by the decisions enacted by the country's authoritarian regime. The country's social context score was heavily influenced by the ban on independent media and severe restrictions of civil liberties, which have been in place since the 1959 revolution. As a one-party communist state, Cuba has the lowest ranks among measures of political rights within the region. The 2019 constitution has not changed the status of political rights and civil liberties in the country. According to Reporters Without Border, media outlets are controlled by the communist party, and journalists that do not support official directives are subject to threats of imprisonment, harassment, arbitrary arrests, and persecution.

In terms of the country's quality of governance and institutions, Cuba's score continues to lag within the lowest percentiles. While the quality of government indicator increased by 0.9 between 2019 and 2020, Cuba's current score (38.5) remains well below the 2020 average for Western Hemisphere countries (50.6). Over the last decade, Cuba's score has ranged between a low of 35.4 in 2013 to a high of 39.8 in 2016 but has stayed decisively within the lowest percentile. The country's 2020 score

is attributed to the lack of impartial administration, checks on government power, and fundamental rights. Like the social context indicator, the quality of government is significantly impacted by the influence of the communist party.

With respect to the rule of law indicator, Cuba's score increased by a marginal 0.7 points between 2019 and 2020—resulting in a score of 37.9—which fell below the regional average for 2020 by 13.2 points and ranked within the 25th percentile. As with the previous indicators, Cuba's score has remained consistently low throughout the decade and has largely been influenced by the lack of an independent judiciary. In many cases, the courts have been used as a political tool to prosecute the regime's political opponents.

In 2020, Cuba's business stability indicator increased by 0.5 points from the previous year, resulting in a score of 39.1. The country's score remained consistently low throughout the decade, and again, can be attributed to the nature of the country's regime. Cuba's score stayed within the lowest percentile for the region in 2020 and throughout the decade. The country's score is attributed to poor transparency, vague policymaking, and inadequate regulations.

Between 2019 and 2020, Cuba's violence and security indicator score increased by 9.2, resulting in the country's current score of 55.8 which exceeds the regional average of 55.0. Over the decade, Cuba's score has varied between a low of 35.9 in 2015 and a high of 67.8 in 2016. Reports have noted that the security environment is stable due to the country's strong military and police presence.

Dominica

Western Hemisphere / **Caribbean**

CAPITAL
Roseau

TERRITORY
750 km²

POPULATION (2020)
71,991.00

GDP TOTAL (2020)
\$469.9M USD

GDP PER CAPITA (2020)
\$6,526.79 USD

INCOME GROUP
Upper middle income

Convention Implementation

38.4

Core-deficient

29th of 31 western hemisphere
10th of 11 Caribbean countries

Prevention

40.6

Core-deficient

Criminalization and law enforcement

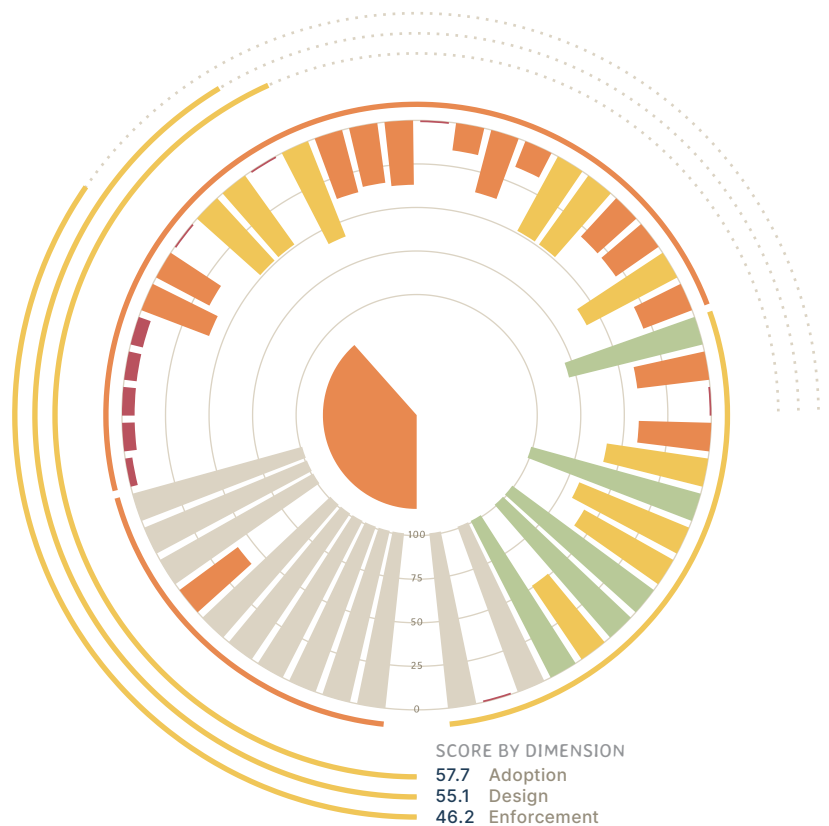
26.7

Core-deficient

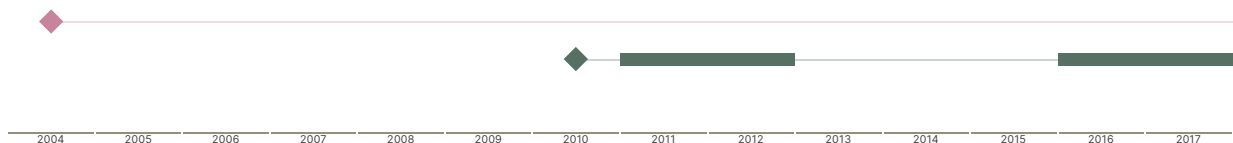
International cooperation

60.9

In progress



Anti-corruption conventions timeline



CONVENTIONS

■ IACAC - Inter-American Convention Against Corruption

■ UNCAC - United Nations Convention against Corruption

■ OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

Prevention

Core-deficient

40.6

✓ Adoption 75.0 ✎ Design 66.7 ⚙ Enforcement 50.0

Standards of Conduct	Enforcement of Standards of Conduct	Training of Public Officials	Asset and Conflicts of Interests Declarations	Transparency in Government Contracting
Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A
Elimination of Favorable Tax Treatment	Oversight Bodies	Measures to Deter Domestic and Foreign Bribery	Encouraging Participation by Civil Society	Study of Other Preventive Measures
Not applicable	Core-deficient	Not applicable	Not applicable	Not applicable
✓ N/A ✎ N/A ⚙ N/A	40.6	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A
	✓ 75.0 ✎ 66.7 ⚙ 50.0			

Criminalization and law enforcement

Core-deficient

26.7

✓ Adoption 50.0 ✎ Design 46.0 ⚙ Enforcement 34.0

Protection of Those who Report Acts of Corruption	Scope	Jurisdiction: Offense-in-Territory	Jurisdiction: Offense-by-National	Jurisdiction: Offender-in-Territory
No implementation	No implementation	No implementation	No implementation	No implementation
3.1	6.3	6.3	6.3	6.3
✓ 25.0 ✎ 0.0 ⚙ 0.0	✓ 25.0 ✎ 16.7 ⚙ 0.0	✓ 25.0 ✎ 16.7 ⚙ 0.0	✓ 25.0 ✎ 16.7 ⚙ 0.0	✓ 25.0 ✎ 16.7 ⚙ 0.0
Passive Public Bribery	Active Public Bribery	Abuse of Functions	Money Laundering	Participation and Attempt
Core-deficient	Core-deficient	No implementation	In progress	In progress
40.6	33.6	0.0	47.7	47.7
✓ 75.0 ✎ 66.7 ⚙ 50.0	✓ 75.0 ✎ 50.0 ⚙ 50.0	✓ 0.0 ✎ 0.0 ⚙ 0.0	✓ 75.0 ✎ 83.3 ⚙ 50.0	✓ 75.0 ✎ 83.3 ⚙ 50.0
Active Foreign Bribery	Illicit Enrichment	Use of State Property	Illicit Acquisition of a Benefit	Public Embezzlement
No implementation	In progress	Core-deficient	Core-deficient	Core-deficient
0.0	57.8	35.9	33.6	35.9
✓ 0.0 ✎ 0.0 ⚙ 0.0	✓ 100.0 ✎ 100.0 ⚙ 50.0	✓ 50.0 ✎ 66.7 ⚙ 50.0	✓ 75.0 ✎ 50.0 ⚙ 50.0	✓ 50.0 ✎ 66.7 ⚙ 50.0
Passive Foreign Bribery	Private Bribery	Private Embezzlement	Obstruction of Justice	Liability of Legal Persons
No implementation	Core-deficient	Core-deficient	Core-deficient	In progress
0.0	14.8	35.9	14.8	47.7
✓ 0.0 ✎ 0.0 ⚙ 0.0	✓ 50.0 ✎ 16.7 ⚙ 50.0	✓ 50.0 ✎ 66.7 ⚙ 50.0	✓ 50.0 ✎ 16.7 ⚙ 50.0	✓ 75.0 ✎ 83.3 ⚙ 50.0
Statute of Limitations	Prosecution, Adjudication and Sanctions	Consequences and Compensation	Cooperation With Law Enforcement	Asset Recovery
In progress	Core-deficient	Core-deficient	In progress	Core-deficient
47.7	28.9	28.9	57.8	28.9
✓ 75.0 ✎ 83.3 ⚙ 50.0	✓ 50.0 ✎ 50.0 ⚙ 50.0	✓ 50.0 ✎ 50.0 ⚙ 50.0	✓ 100.0 ✎ 100.0 ⚙ 50.0	✓ 50.0 ✎ 50.0 ⚙ 50.0

International cooperation

In progress

60.9

✓ Adoption 71.2 ✎ Design 71.8 ⚙ Enforcement 69.2

Assistance Without Criminalization
Implemented

78.1

✓ 50.0 ✎ 83.3 ⚙ 100.0

Inclusion in Extradition Treaties
Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Convention as Legal Basis for Extradition
No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Automatic Application Without Treaty
Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Prosecution Without Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Assistance
In progress

67.2

✓ 75.0 ✎ 66.7 ⚙ 100.0

Impossibility of Claiming Bank Secrecy
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Limited Use of Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central Authorities
In progress

50.0

✓ 50.0 ✎ 50.0 ⚙ 100.0

Responsibilities of Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Communication Between Central Authorities

Not applicable

✓ N/A ✎ N/A ⚙ N/A

Special Investigative Techniques
No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Technical Cooperation

Not applicable

✓ N/A ✎ N/A ⚙ N/A

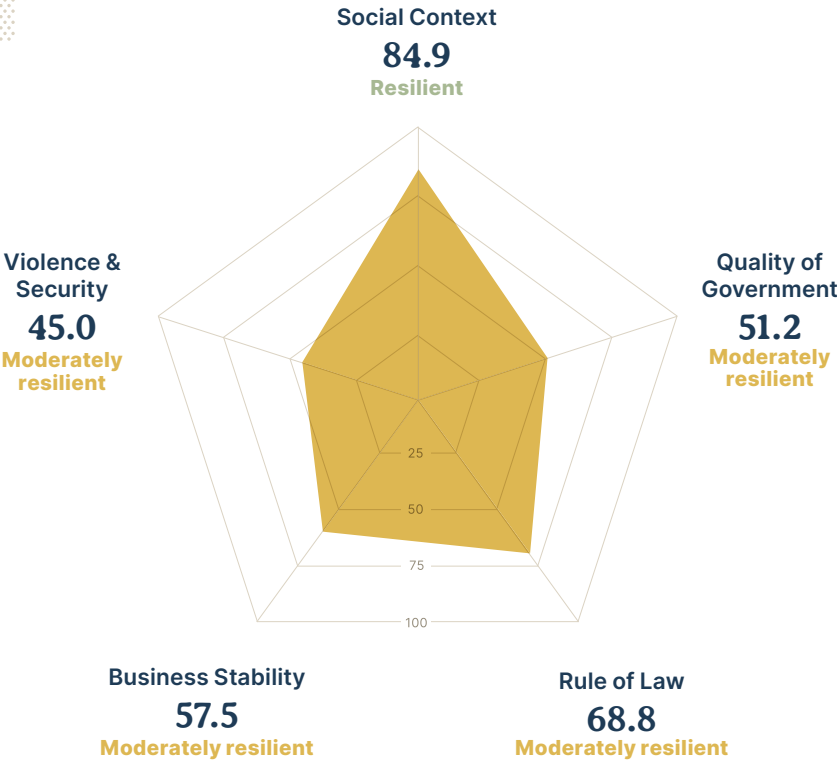
Corruption Resilience

61.5

Moderately resilient

9th of 31 western hemisphere

6th of 11 Caribbean countries



Analysis

Convention Implementation

Dominica ratified the Inter-American Convention Against Corruption (IACAC) on September 14, 2004. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since March 16, 2018. The country also acceded to the United Nations Convention Against Corruption (UNCAC) on May 28, 2010. Accordingly, Dominica has undergone one round of review under the UNCAC review mechanism.

Dominica's record in implementing its commitments to UNCAC exhibits very few successes and a large number of failures. With an overall score of 38.4, the measures adopted place the country towards the bottom level of compliance with international norms, surrounded by Saint Lucia (30.9), Suriname (31.7), Saint Vincent and the Grenadines (46.7), and Guyana (49.1). Furthermore, progress in implementation is unequally distributed. Although a number of measures related to criminalization and law enforcement show progress, all the measures found to be implemented belong to the international cooperation section, which results in a score more than double that received by criminalization.

Regarding the prevention of corruption, the country's absence from the MESICIC until 2018 does not allow for the assessment of most preventive measures, as the implementation of its commitments to the IACAC have not undergone review prior to 2021 and preventive measures are not covered by the UNCAC review mechanism during its first round. The sole exception is the state of oversight bodies, for which Dominica receives a score of 40.6 ("core-deficient") reflecting that "no agency has been designated to handle coordination" and that the country is called to "[a]llocate the human resources necessary for the effective execution of the work of both the Integrity Commission and the Director of Public Prosecutions, and develop local capabilities for officers of the Commission, the Director of Public Prosecutions and the Financial Intelligence Unit." However, no other information is available.

In terms of criminalization and law enforcement, Dominica shows poor results. Significant deficiencies remain, with two thirds of all measures within this section classified as core-deficient or unimplemented. Only two measures in progress receive a score above 50—the criminalization of illicit enrichment (57.8), and the legal mechanisms to facilitate cooperation with law enforcement (e.g., plea bargain) (57.8). Significant measures are found largely or fully unimplemented, including the protection of those

who report acts of corruption (i.e., whistleblower protection) as well as the criminalization of abuse of functions and active and passive bribery of foreign officials. Other measures remain deficient at core, such as the criminalization of private bribery (14.8), obstruction of justice (14.8), active and passive bribery in the public sector (33.6 and 40.6, respectively), illicit acquisition of a benefit (i.e., influence trading) (33.6), embezzlement in the private sector (35.9), and others.

Among the severe problems identified in connection with criminalization and law enforcement, the country's limited jurisdiction over the offenses covered by the conventions deserves special attention, as Dominica has not established jurisdiction over offenses committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The UNCAC review mechanism briefly reports that "[t]he Integrity in Public Office Act and Criminal Procedure Act do not address the issue of jurisdiction. There are rules on jurisdiction in the Money Laundering (Prevention) Act, but they do not cover acts of participation in the predicate offenses of money-laundering committed abroad." Dominica's record in promoting and engaging with international cooperation is also lackluster, yet it receives a general classification of "in progress". Among the bigger issues reported are the findings that the country does not recognize UNCAC as a legal basis for extradition, requires dual criminality, and only considers bribery, embezzlement, and money-laundering as extraditable offenses.

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to a lack of information. Dominica is cited by the UNCAC review mechanism as providing little or no statistical information to assess the level of implementation of legally adopted measures. While lack of monitoring and data collection mechanisms is not solely found in Dominica, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Despite a slight decrease between 2019 and 2020, Dominica's current social context score (84.9) substantially exceeds the Western Hemisphere average and ranks the country within the 75th percentile. Over the last ten years, the highest indicator score achieved was 88.6 in 2010 and its lowest score of 71.2 was measured in 2015. Throughout the decade, Dominica's social context score has been consistently

high compared to its regional counterparts, and this is largely the result of respected—and guaranteed—political rights and civil liberties. In terms of media freedom, within Dominica, the media is independent and constitutionally protected.

With respect to the quality of government indicators, Dominica's current score (51.2) increased by 10.3 points from the previous year, however it remains just above the Western Hemisphere average of 50.6. Since 2010, the country's quality of government indicator has been declining, achieving its lowest score of 40.9 in 2019.

Across the rule of law indicators, Dominica's 2020 score (68.8) exceeded the Western Hemisphere average (51.1) by 17.7 points and ranked within the 75th percentile for the region. Since 2010, the country's scores have been steadily increasing. Most notably, there has been a 15.5-point increase between the indicator scores for 2010 and 2020. Dominica's current score was largely influenced by the country's independent judiciary which is safeguarded by constitutional protections. Unlike many of its regional counterparts, the courts are relatively resistant to political pressure and corruption.

In terms of the business stability indicator, Dominica has fluctuated between their highest score of 64.8 in 2010 and their lowest score of 56.4 which was recorded in 2017. Over the last decade, the country's business stability score has been steadily declining. Dominica's business stability score faced another marginal decrease (of 0.1 points) between 2019 and 2020, resulting in a current score of 57.5. The country's score is largely attributed to inefficiencies in regulations and policies. In 2020, Dominica was cited as one of several countries with the lowest rates of property registration in the World Bank's Doing Business Survey.

With regard to the violence and security indicator, Dominica's score increased by 14.6 points from the previous year. However, despite this increase, Dominica's indicator score (45.0) remains within the 25th percentile for the Western Hemisphere and falls 10.0 points below the regional average. While Dominica's indicator score fluctuated between its highest score of 60.0 in 2014 and its lowest score of 25.4 in 2011, the country never retained an optimal score compared to its better-performing neighbors.

Dominican Republic

Western Hemisphere / Caribbean

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Santo Domingo	48,310 km ²	10,847,904.00	\$78.84B USD	\$7,268.19 USD	Upper middle income

Convention Implementation

55.7

In progress

23rd of 31 western hemisphere
6th of 11 Caribbean countries

Prevention

41.6

Core-deficient

Criminalization and law enforcement

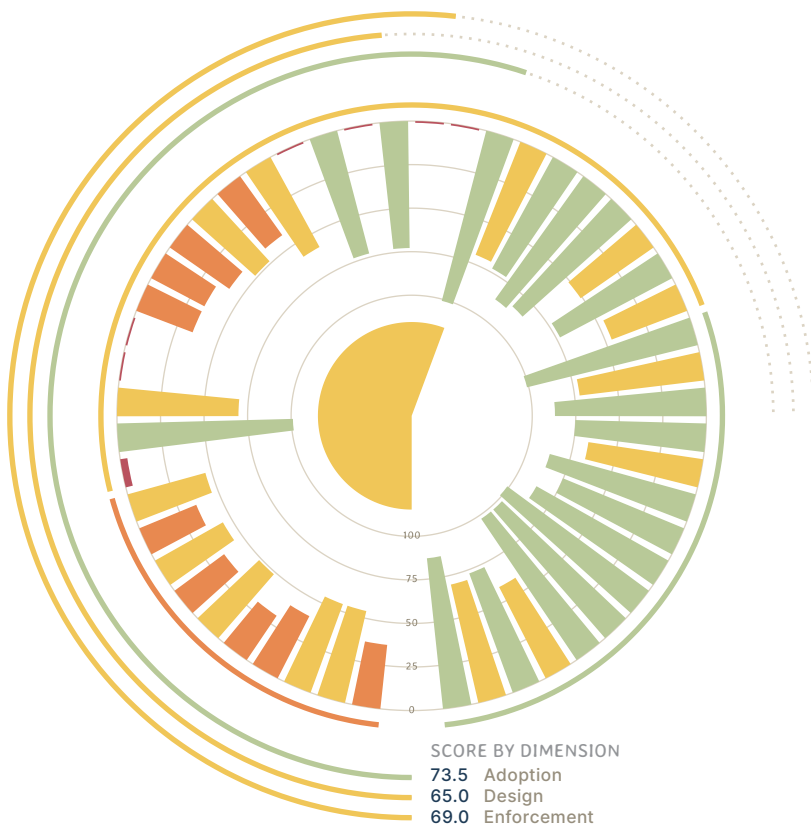
45.8

In progress

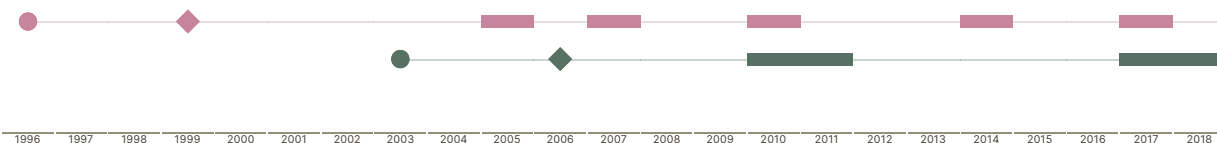
International cooperation

81.4

Implemented



Anti-corruption conventions timeline



CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

KEY EVENTS

- Signed
- Ratified/acceded
- Review rounds

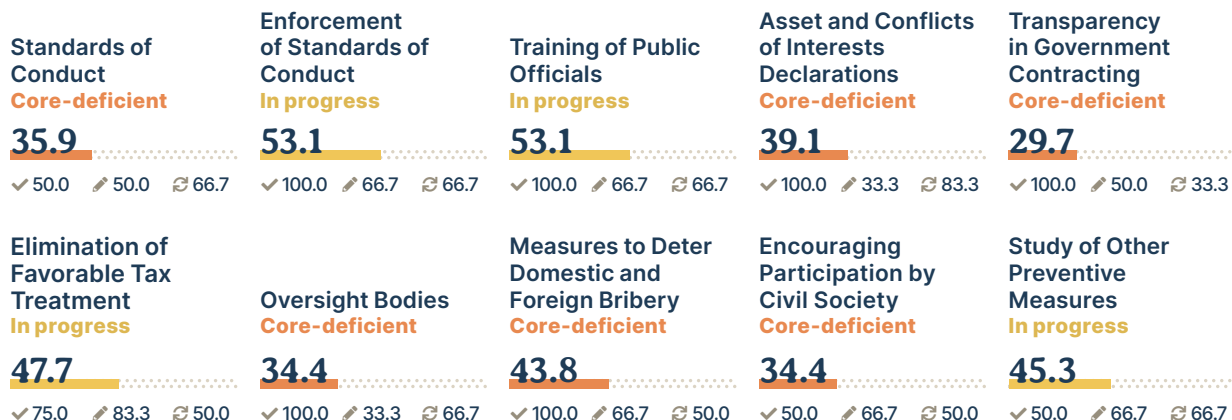
MEASURES BY THEMATIC SECTION

Prevention

Core-deficient

41.6

✓ Adoption 82.5 ✎ Design 58.3 ⚙ Enforcement 60.0



Criminalization and law enforcement

In progress

45.8

✓ Adoption 60.0 ✎ Design 52.0 ⚙ Enforcement 61.3



International cooperation

Implemented

81.4

✓ Adoption 90.0

✎ Design 91.1

⌚ Enforcement 87.8

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
In progress

71.1

✓ 75.0 ✎ 83.3 ⌚ 83.3

Convention as Legal
Basis for Extradition
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Automatic
Application Without
Treaty
Implemented

74.2

✓ 100.0 ✎ 83.3 ⌚ 83.3

Prosecution Without
Extradition
In progress

65.6

✓ 50.0 ✎ 66.7 ⌚ 100.0

Custody
Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Assistance
Implemented

74.2

✓ 100.0 ✎ 83.3 ⌚ 83.3

Impossibility of
Claiming Bank
Secrecy
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act
Implemented

96.9

✓ 75.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
Implemented

96.9

✓ 75.0 ✎ 100.0 ⌚ 100.0

Responsibilities of
Central Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Communication
Between Central
Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 ⌚ 66.7

Special Investigative
Techniques
In progress

68.8

✓ 75.0 ✎ 66.7 ⌚ 100.0

Technical
Cooperation
Implemented

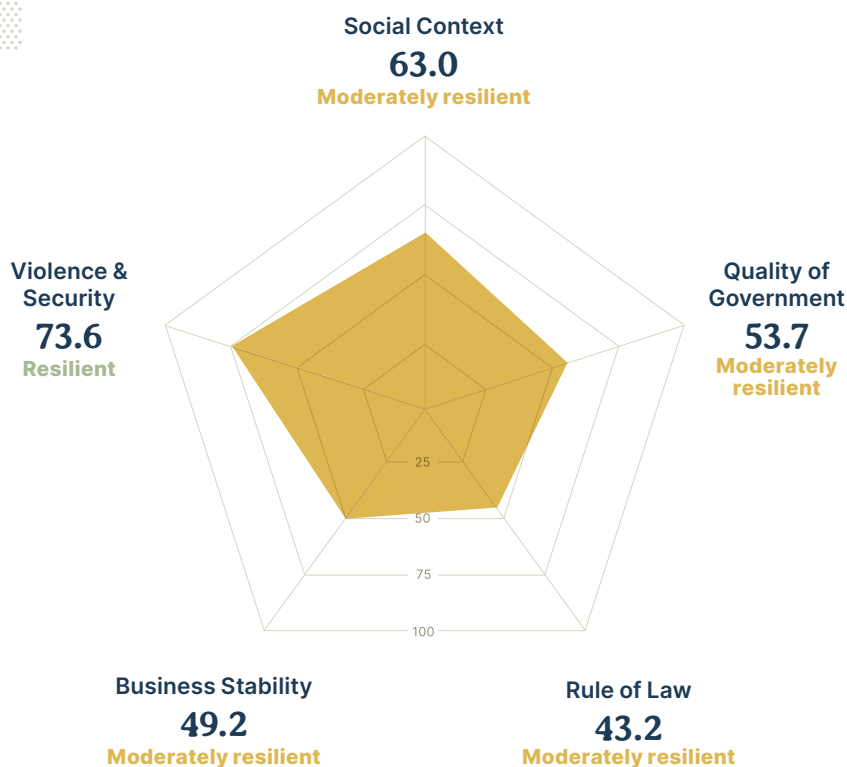
85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Corruption Resilience

56.5

Moderately resilient

16th of 31 western hemisphere9th of 11 Caribbean countries

Analysis

Convention Implementation

The Dominican Republic ratified the Inter-American Convention Against Corruption (IACAC) on June 2, 1999. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on October 26, 2006. Accordingly, the Dominican Republic has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

The Dominican Republic's record in implementing its commitments to IACAC and UNCAC exhibits a number of failures and few successes, with over a third of all measures committed to found to be in progress. With an overall score of 55.7, the measures adopted place the country in the lower level of compliance with international norms—but not far from countries at the middle point—surrounded by Trinidad and Tobago (51.1), El Salvador (51.5), Belize (58.1), and Haiti (58.2). Progress in implementation is unequally distributed, while no measure in the preventive section is found to be fully or partially implemented, all fully unimplemented measures pertain to criminalization and law enforcement. The country's efforts to implement its international commitments are mostly found within the section of international cooperation rather than across the sections of prevention and criminalization, where they are generally lacking.

The prevention of corruption is significantly deficient, classified as “core-deficient” by its average score of 41.6. The majority of measures are found to be deficient, including transparency in government contracting (29.7), the state of oversight bodies (34.4), and standards of conduct (35.9), among others. In fact, with the exceptions of the enforcement of standards of conduct and the training of public officials—both of which are in progress—all key measures within this section are considered to be deficient. On the positive side, the country's assessment does not reveal any commitment pertaining to the prevention of corruption to be fully missing.

In terms of criminalization and law enforcement, the Dominican Republic shows only slightly better results than those regarding prevention. Significant deficiencies remain, with the majority of measures within this section classified as core-deficient or not implemented. Some measures in progress are given a score above 50, including those pertaining to the active bribery of foreign officials (57.8),

embezzlement in the public sector (71.9), and the liability of legal persons (71.9). Furthermore, the country is found to have successfully implemented three commitments, among them the criminalization of embezzlement in the private sector. However, significant measures are found completely lacking—the criminalization of illicit enrichment, the illicit acquisition of a benefit (i.e., influence trading), the passive bribery of foreign officials, and bribery in the private sector—or given deficient scores, including those pertaining to active and passive bribery in the public sector and the abuse of functions.

Among the severe problems identified in connection with criminalization and law enforcement, the country's limited jurisdiction over the offenses covered by the conventions deserves special attention, as the Dominican Republic has not established jurisdiction over offenses committed by a national or when the offender is present in its territory and it does not extradite them. On the other hand, and in contrast to those measures related to prevention and criminalization, the Dominican Republic's active implementation of its commitments regarding international cooperation results in an average section score of 81.4, with two thirds of all of measures here receiving an “implemented” score of various degrees.

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to a lack of information. The Dominican Republic is cited during MESICIC rounds as providing insufficient statistical information to assess the level of implementation of legally adopted measures. This point is also brought forward by the UNCAC review mechanism. While lack of monitoring and data collection mechanisms is not solely found in the Dominican Republic, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Over the last decade, the Dominican Republic's social context score has fluctuated between the highest score (77.3) achieved in 2013 and its lowest score (61.8) attained in 2019. In 2020, the Dominican Republic's indicator score increased by 1.2, resulting in a score of 63.0. Despite the increase, the country's score remained below the regional average of 64.9. The Dominican Republic's 2020 score is mainly credited to the partial guarantee of political rights and civil liberties. While freedom of expression and belief remain legally protected, journalists who report on corruption or drug trafficking are exposed to threats and potential retaliation.

In terms of the quality of governance and institutions, the Dominican Republic's score has stayed consistently moderate throughout the decade. The country's highest recorded score was 55.1 in 2016 and its lowest was 50.0 in 2014. Despite a marginal decrease of 0.3 points from 2019 to 2020, the country's current score (53.7) remains above the 2020 regional average of 50.6. The Dominican Republic's quality of government indicator is primarily influenced by pervasive corruption within government and domestic institutions. Additionally, the country lacks impartial administration and serious checks on government powers.

With respect to the rule of law indicator, the Dominican Republic's score has steadily declined since reaching its highest count (50.7) in 2010. The country's current score (43.2) falls below the regional average by 7.1 points. The domestic factors influencing the rule of law score were primarily attributed to a weak judiciary which remains vulnerable to political pressure and corruption.

In 2020, the Dominican Republic's business stability indicator (49.2) decreased by 2.9 points from

the previous year and fell just 1.3 points below the Western Hemisphere average of 50.5. Throughout the decade Dominican Republic's score has varied but consistently ranged between the mid-40s and mid-50s, where its highest score was 53.9 in 2017, and its lowest score was 46.5 in 2012. The country's indicator score is attributed to problems with property rights and rule-based governance that significantly impact the business environment.

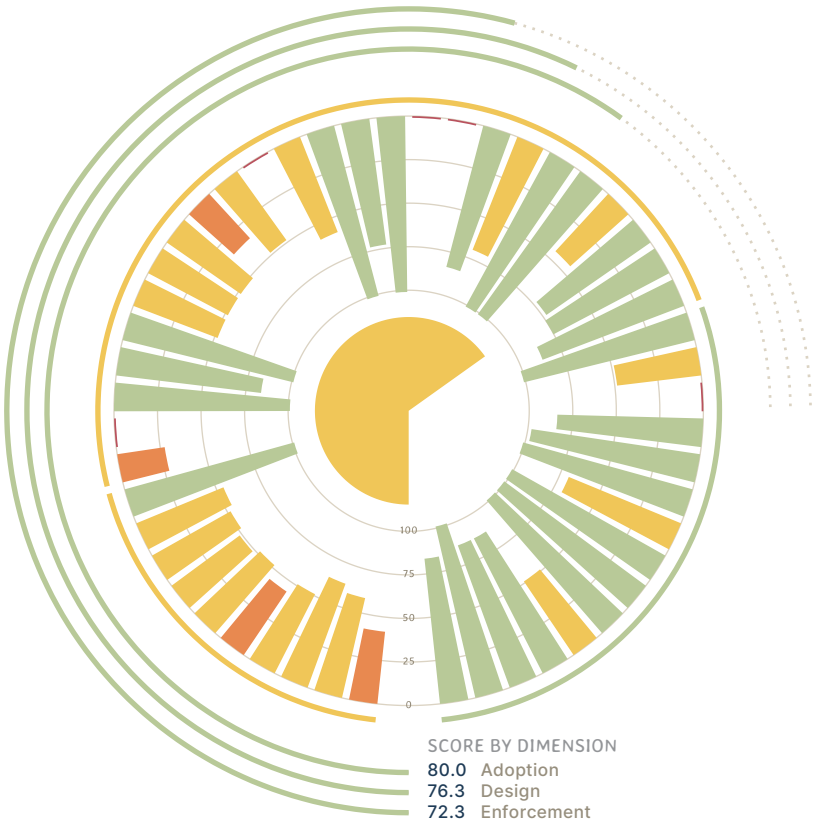
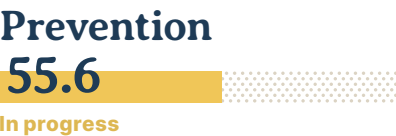
The Dominican Republic's violence and security indicator reflected a 2020 score of 73.6—a 1.4-point increase from the previous year. Despite failing to meet the regional average for the previous indicators, the country's violence and security score surpassed the regional average by 18.6 and ranked within the 75th percentile for the violence and security indicator. Over the last ten years, the country's score has improved by nearly 8 points—expanding from a score of 65.7 in 2010 to its current score of 73.6 in 2020. According to the Overseas Security Advisory Council (OSAC), the Dominican Republic continues to face serious challenges in the form of organized crime and drug trafficking.

Ecuador

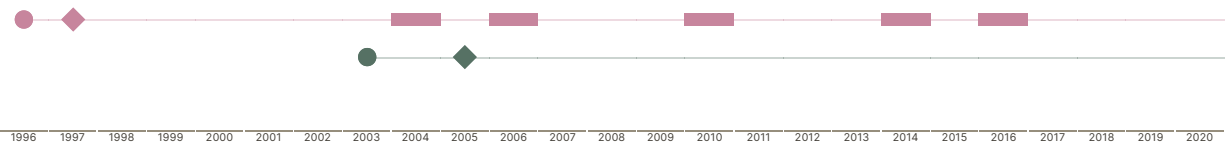
Western Hemisphere / South America

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Quito	248,360 km ²	17,643,060.00	\$98.81B USD	\$5,600.38 USD	Upper middle income

Convention Implementation



Anti-corruption conventions timeline



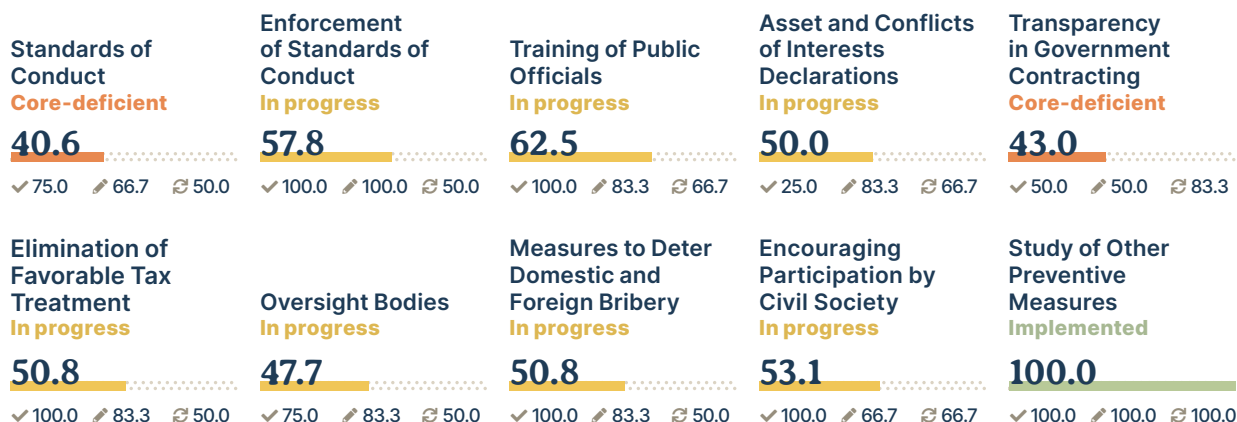
CONVENTIONS	KEY EVENTS
■ IACAC - Inter-American Convention Against Corruption	○ Signed
■ UNCAC - United Nations Convention against Corruption	◇ Ratified/acceded
■ OECD Anti-Bribery Convention	□ Review rounds

Prevention

In progress

55.6

✓ Adoption 82.5 ✎ Design 80.0 ⚙ Enforcement 63.3



Criminalization and law enforcement

In progress

60.0

✓ Adoption 78.0 ✎ Design 67.3 ⚙ Enforcement 69.3



International cooperation

Implemented

80.0

✓ Adoption 81.7

✎ Design 88.9

⌚ Enforcement 83.3

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
In progress

47.7

✓ 75.0 ✎ 83.3 ⌚ 50.0

Convention as Legal
Basis for Extradition
No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Automatic
Application Without
Treaty
Implemented

82.8

✓ 75.0 ✎ 100.0 ⌚ 83.3

Prosecution Without
Extradition
Implemented

96.9

✓ 75.0 ✎ 100.0 ⌚ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Assistance
In progress

68.8

✓ 75.0 ✎ 100.0 ⌚ 66.7

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
In progress

50.0

✓ 50.0 ✎ 50.0 ⌚ 100.0

Responsibilities of
Central Authorities
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Communication
Between Central
Authorities
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Special Investigative
Techniques
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Technical
Cooperation
Implemented

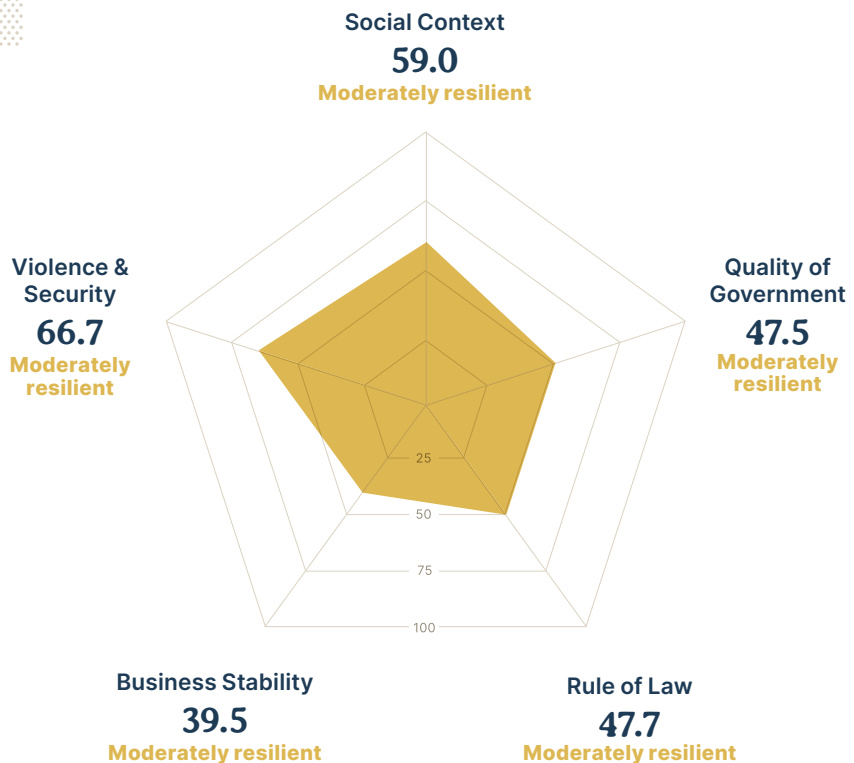
82.8

✓ 75.0 ✎ 100.0 ⌚ 83.3

Corruption Resilience

52.1

Moderately resilient

22nd of 31 western hemisphere9th of 12 South American countries

Analysis

Convention Implementation

Ecuador signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on May 26, 1997. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on September 15, 2005. Accordingly, Ecuador has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Ecuador's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 65.1, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Panama (63.5), Jamaica (65.1), Uruguay (66.1), and Honduras (66.6). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the majority of preventive measures are found to be in progress or implemented while most failures pertain to criminalization and law enforcement. Consequently, a degree of progress is found in all three sections—albeit with an emphasis on international cooperation.

The prevention of corruption is undergoing, classified as “in progress” by its average score and with prominent measures given a score of 50 or above—systems for registering asset and conflict of interests’ declarations, the initiatives to encourage the participation of civil society, and the enforcement of standards of conduct, among others. Indeed, almost three quarters of all preventive measures are considered to be in progress, and the study of preventive measures related to equitable compensation is considered to be fully implemented. Within this section, only two measures fail to achieve sufficient progress—the adoption of standards of conduct (40.6) and transparency of government contracting (43.0). These measures represent only one quarter of all “core-deficient” or unimplemented scores given to Ecuador’s implementation of international commitments, again reflecting the generally satisfactory distribution of progress.

In terms of criminalization and law enforcement, Ecuador shows slightly better results than those regarding prevention—yet, significant deficiencies remain, with over a quarter of all measures within this section classified as core-deficient or not implemented. The country is found to have successfully implemented a number of commitments, including significant ones pertaining to embezzlement in the

public and private sectors and the liability of legal persons. However, key measures are found completely lacking—the criminalization of active and passive foreign bribery and bribery in the private sector—or found deficient, including the protection of those who report acts of corruption (i.e., whistleblower protection) and the express punishment of money laundering. Regarding the above-mentioned lack of standards on foreign bribery, the third round of MESICIC concluded that “in the absence of provisions related to transnational bribery in Ecuador, the Committee considers that the country under review could benefit from the adoption of a law on international cooperation, in order to comply with [its commitment]”. Other measures, such as active and passive bribery in the public sector and the abuse of function, among several others, are found in progress due to limitations in their legal features and “confusing” results (as reported by MESICIC).

Finally, Ecuador is found mostly compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. However, the UNCAC review mechanism reports that “Ecuador has not established its jurisdiction over offenses committed against the State”. Furthermore, it is worth highlighting that the country does not recognize UNCAC as a legal basis for extradition and requires dual criminality. That being said, the generally positive evaluation of the country’s implementation of its commitments regarding international cooperation is reflected in over two thirds of all measures within this section receiving an “implemented” score.

Corruption Resilience

Ecuador’s social context score declined by 1.3 points from 2019, resulting in a score of 59.0 which falls 5.9 points below the Western Hemisphere average of 64.9. Despite scoring below the regional average, Ecuador’s score has steadily improved since 2017, following the election of President Moreno. During this period and subsequent years (2018, 2019), the freedom of media indicator began to improve by approximately 5-point increments. In contrast, during the presidency of Rafael Correa (2007–2017), the country’s media—particularly those who were critical of the administration—faced serious challenges.

With respect to the quality of government indicators, in 2020, Ecuador had a marginal increase in its score from the previous year by 1.4 points. Ecuador’s quality of government indicator has had substantial

improvements from 2010 to 2020, increasing by a total of **3.06** points. However, despite this improvement, Ecuador remains ranked within the lowest percentile of the Western Hemisphere countries. The country's score is attributed to its flawed democracy, which has had democratic backsliding since 2007. In short, the country faces serious challenges concerning representative government, fundamental rights, checks on government, and impartial administration. Corruption continues to pose serious problems for the government.

Since 2010, Ecuador's rule of law has been increasing sustainably and the country has had a 14.9-point increase from 2010 to 2020. Despite Ecuador's improvements, it has yet to reach the threshold for the region's 2020 average (51.1). During President Correa's administration, the country's courts faced serious threats to their autonomy. However, since the election

of Lenín Moreno in 2017, the court's autonomy has gradually been restored. In the following year, the 2018 referendum—initiated by President Moreno—reorganized the transitional Council of Citizens Participation and Social Control (CPCCS) to ensure judicial integrity in the country's courts. Since 2018, the CPCCS has dismissed 19 judges.

In 2020, Ecuador's business stability indicator score (39.5) rose by 1.2 points from the preceding year. The country's business stability indicator ranks within the lower percentile for the region, where its score falls 11.0 points below the regional average for 2020. Ecuador's low score is attributed to years of corruption. Ecuador's violence and security indicators was 66.7, which increased from the preceding year by 7.3 points. Compared to its regional counterparts, Ecuador's score is in the upper percentile.

Transparency

MAIN REPORTING NGO

Fundación Ciudadanía y Desarrollo (FCD)

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Nov-2020	2019-2020	Full Report	Spanish

Did the government make public the contact details for the country focal point? **✗ No**

Was civil society consulted in preparation for the self-assessment? **✗ No**

Was civil society invited to provide information to the official reviewers? **✗ No**

Was the self-assessment published online or provided to CSOs? **✗ No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

Ecuador's civil society parallel review report was authored by the Fundación Ciudadanía y Desarrollo (Citizenship and Development Foundation), a partner organization of Transparency International, based on information gathered during the period between 2019 and 2020. The report assessed the country's compliance with articles in chapters II and V of UNCAC, namely articles 5-14 and 51-59. The lack of available information posed a significant obstacle in preparing the report, as limited information on public policies, reports, statistics, and programs on corruption prevention were published by institutions. The remaining data was solicited through public information requests, 75% of which were either unanswered or denied. Instead, interviews were conducted with state and non-state actors.

In terms of the legal framework, the majority of UNCAC articles assessed remain partially implemented (articles 5, 7, 8, 10, 12, 13, 14, 52, 53, 54, 55, 56, 58, 59) while only four categories have been sufficiently integrated (articles 6, 7.1, 9.1, and 9.2). Similarly, the status of enforcement in practice is predominantly poor or moderate. Only articles 9.1 and 9.2 have been reviewed as having good enforcement. The report concluded with several priority recommendations, namely the creation of a national plan to prevent and fight corruption inclusive of government officials and non-state actors, the publication of all public policies and their implementation, the adoption of measures to ensure transparency, the development of regulatory policies for financial technologies, the adoption of regulations to facilitate asset recovery, the improvement of coordination efforts among state bodies, and lastly, the development of minimum standards for public codes of conduct, among others.

El Salvador

Western Hemisphere / **Central America**

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
San Salvador	20,720 km ²	6,486,201.00	\$24.64B USD	\$3,798.63 USD	Lower middle income

Convention Implementation

51.5

In progress

24th of 31 western hemisphere
8th of 8 Central American countries

Prevention

41.4

Core-deficient

Criminalization and law enforcement

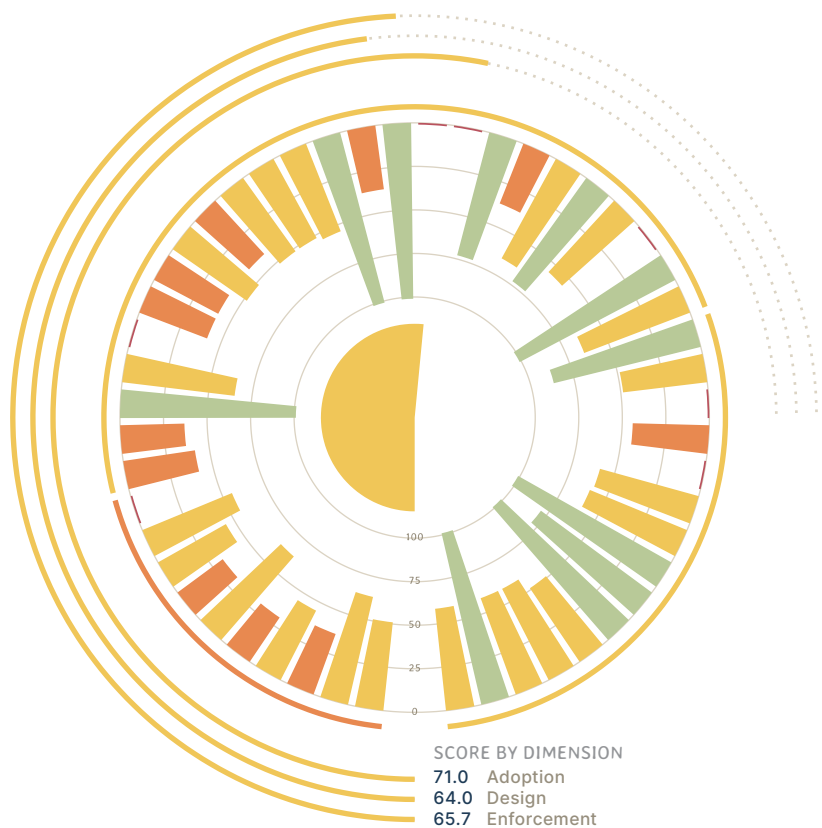
50.7

In progress

International cooperation

59.7

In progress



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/acceded

□ Review rounds

MEASURES BY THEMATIC SECTION

Prevention

Core-deficient

41.4

✓ Adoption 77.5 ✎ Design 61.7 ⚙ Enforcement 50.0

Standards of Conduct

In progress

50.0

✓ 75.0 ✎ 66.7 ⚙ 66.7

Enforcement of Standards of Conduct

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Training of Public Officials

Core-deficient

35.9

✓ 50.0 ✎ 66.7 ⚙ 50.0

Asset and Conflicts of Interests Declarations

Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⚙ 50.0

Transparency in Government Contracting

Core-deficient

29.7

✓ 100.0 ✎ 33.3 ⚙ 50.0

Elimination of Favorable Tax Treatment

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Oversight Bodies

Core-deficient

31.3

✓ 75.0 ✎ 66.7 ⚙ 33.3

Measures to Deter Domestic and Foreign Bribery

Core-deficient

43.8

✓ 100.0 ✎ 50.0 ⚙ 66.7

Encouraging Participation by Civil Society

In progress

54.7

✓ 75.0 ✎ 100.0 ⚙ 50.0

Study of Other Preventive Measures

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Criminalization and law enforcement

In progress

50.7

✓ Adoption 67.0 ✎ Design 56.7 ⚙ Enforcement 70.7

Protection of Those who Report Acts of Corruption

Core-deficient

40.6

✓ 75.0 ✎ 50.0 ⚙ 66.7

Scope

Core-deficient

35.9

✓ 50.0 ✎ 33.3 ⚙ 100.0

Jurisdiction: Offense-in-Territory

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-by-National

In progress

64.1

✓ 50.0 ✎ 66.7 ⚙ 100.0

Jurisdiction: Offender-in-Territory

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Passive Public Bribery

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Active Public Bribery

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Abuse of Functions

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Money Laundering

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Participation and Attempt

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Active Foreign Bribery

In progress

50.8

✓ 100.0 ✎ 50.0 ⚙ 83.3

Illicit Enrichment

In progress

53.1

✓ 100.0 ✎ 66.7 ⚙ 66.7

Use of State Property

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Illicit Acquisition of a Benefit

Core-deficient

35.9

✓ 50.0 ✎ 33.3 ⚙ 100.0

Public Embezzlement

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Passive Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Embezzlement

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Obstruction of Justice

Core-deficient

35.9

✓ 50.0 ✎ 33.3 ⚙ 100.0

Liability of Legal Persons

In progress

64.1

✓ 50.0 ✎ 66.7 ⚙ 100.0

Statute of Limitations

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Prosecution, Adjudication and Sanctions

In progress

54.7

✓ 75.0 ✎ 50.0 ⚙ 100.0

Consequences and Compensation

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Cooperation With Law Enforcement

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Asset Recovery

In progress

64.1

✓ 50.0 ✎ 66.7 ⚙ 100.0

International cooperation

In progress

59.7

✓ Adoption 73.3

✎ Design 77.8

⌚ Enforcement 67.8

Assistance Without
Criminalization
Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Inclusion in
Extradition Treaties
In progress

47.7

✓ 75.0 ✎ 83.3 ⌚ 50.0

Convention as Legal
Basis for Extradition
No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 50.0

Automatic
Application Without
Treaty
Core-deficient

43.0

✓ 50.0 ✎ 83.3 ⌚ 50.0

Prosecution Without
Extradition
No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Assistance
In progress

59.4

✓ 75.0 ✎ 83.3 ⌚ 66.7

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

78.1

✓ 50.0 ✎ 83.3 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
In progress

50.0

✓ 50.0 ✎ 50.0 ⌚ 100.0

Responsibilities of
Central Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Communication
Between Central
Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Special Investigative
Techniques
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Technical
Cooperation
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

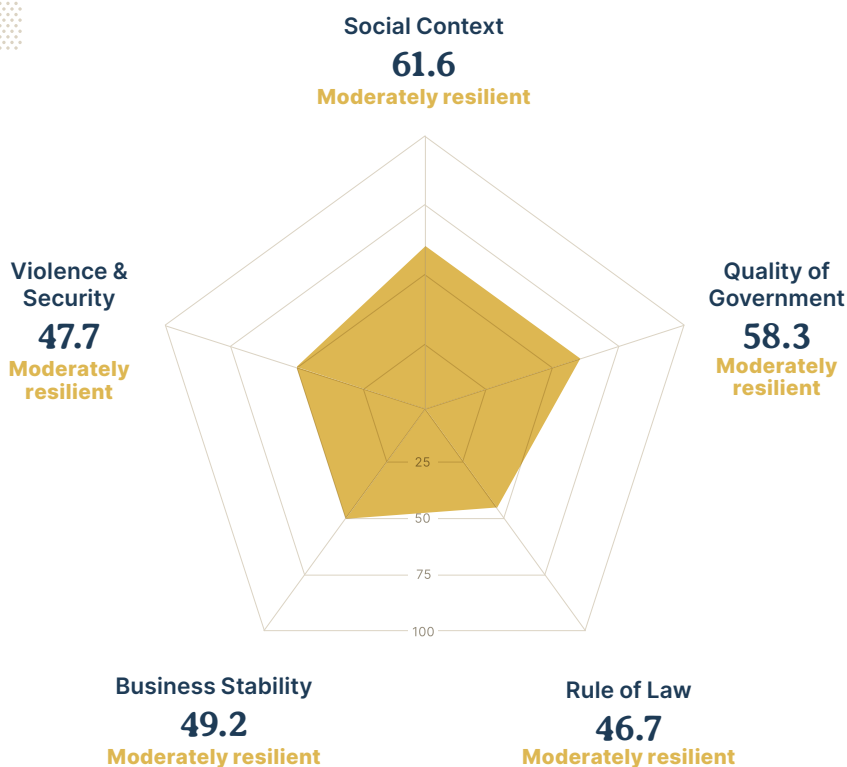
Corruption Resilience

52.7

Moderately resilient

20th of 31 western hemisphere

4th of 8 Central American countries



Analysis

Convention Implementation

El Salvador signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on October 26, 1998. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on July 1, 2004. Accordingly, El Salvador has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

El Salvador's record in implementing its commitments to IACAC and UNCAC exhibits a large number of failures and very few successes, with almost half of all measures committed to found to be deficient at core or unimplemented. With an overall score of 51.5, the measures adopted place the country in the lower level of compliance with international norms, surrounded by Grenada (50.8), Trinidad and Tobago (51.1), Dominican Republic (55.7), and Belize (58.1). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the difference is not large enough to deserve attention for unequal distribution: prevention receives a score of 36.0, while criminalization and law enforcement receives 50.7—the largest among the three sections—and international cooperation 49.3. Therefore, it may be said that El Salvador's efforts are generally lacking across the range of measures required by the conventions.

The prevention of corruption is significantly deficient, classified as “core-deficient” and with the majority of measures found to be deficient, including transparency in government contracting (29.7), the state of oversight bodies (31.3), the training of public officials (35.9), among others. Furthermore, the study of preventive measures related to equitable compensation is considered to be fully missing. Within this section, only three measures reach the classification of “in progress”: standards of conduct (50.0) and their enforcement (62.5), the initiatives to encourage the participation of civil society (54.7), and the elimination of favorable tax treatment for corrupt expenditure (62.5).

In terms of criminalization and law enforcement, El Salvador shows better results than those regarding prevention—yet, significant deficiencies remain, with almost half of all of measures within this section classified as core-deficient or not implemented. The country is found to have successfully implemented only one key commitment—actions to control

embezzlement in the public sector—whereas significant measures are found completely lacking—the criminalization of passive bribery of foreign officials and bribery in the private sector, as well as establishing broader consequences—such as the rescinding of contracts and obtaining compensation—for the commitment of corrupt offenses (all three of which are required by UNCAC). Other measures are found deficient at core, including those pertaining to the illicit acquisition of a benefit (i.e., influence trading), the obstruction of justice, the protection of those who report acts of corruption (i.e., whistleblower protection), active and passive bribery in the public sector, and money laundering.

El Salvador's record in promoting and engaging with international cooperation is somewhat lackluster as well, but achieving an average section score higher than that for criminalization and law enforcement (discussed in the previous paragraph). Among the few highlights identified here, the country is found compliant in its commitments to provide assistance without criminalization, the impossibility of invoking bank secrecy when considering a request for international assistance, and the regulation and application of special investigative techniques—such as electronic surveillance, undercover operations, etc.—and others. On the other hand, measures related to extradition are severely deficient, not least due to the fact that El Salvador does not recognize UNCAC as a legal basis for extradition and requires dual criminality. In this regard, the UNCAC review mechanism reports that “[t]he extradition of nationals is generally not permitted unless El Salvador has concluded a treaty that provides specifically for such extradition and stipulates reciprocity as a requirement.”

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to the lack of information. El Salvador is frequently cited during MESICIC rounds as providing little or no statistical information to assess the level of implementation of legally adopted measures. This point is also brought forward by the UNCAC review mechanism. While lack of monitoring and data collection mechanisms is not solely found in El Salvador, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

El Salvador's social context indicator declined by 6.3 points from the previous year—resulting in a score of 61.6 for 2020. The country's score falls below the Western Hemisphere regional average of 64.9 by

3.3 points. Since 2011, El Salvador's score has been steadily declining by approximately 2 points annually until 2018, when it started to see a slight increase in its score. The highest score that El Salvador has achieved for the social context indicator was in 2011 with 69.7. Within El Salvador, both political rights and civil liberties are respected and protected by a constitutional guarantee. Despite these guarantees for press freedom, the media still faces harassment, threats, and restrictions, particularly when investigating and reporting sensitive issues such as corruption and government financial activities. Since President Nayib Bukele took office in 2019, the media's freedom has been restricted, particularly those critical of the government and its current administration.

With regard to quality of government indicator, for El Salvador's score increased by 0.7 points from the previous year. The country's score surpassed the Western Hemisphere regional average by 7.7 points and fell within the 75th percentile for the indicator. Throughout the decade, the country's score varied, where its highest score was achieved in 2014 with 61.5, and its lowest score was 57.0 in 2018. El Salvador's indicators score for 2020 was mainly attributed to widespread corruption and an inefficient system of governance.

El Salvador's rule of law indicator increased by 0.1 points from the previous year—resulting in a score of 46.7 for 2020. Despite the increase from the previous year, the country's score is 4.4 points below

the Western Hemisphere regional average of 51.1. The decade range for El Salvador is 3.9 points, and El Salvador's highest score for the decade was 49.1 in 2014. The country's rule of law score for 2020 was largely influenced by a lack of judicial independence, as it remains susceptible to political pressure and corruption. In 2020, for example, President Bukele defied court orders on several occasions, particularly disregarding court orders related to the COVID-19 pandemic.

The country's business stability indicator declined by 2.3 points from the previous year—resulting in a score of 49.2 for 2020—which falls below the Western Hemisphere regional average of 50.5 by 1.3 points. Throughout the decade, the country's indicator has varied, where it achieved the highest score in 2010 with 59.0 and its lowest score in 2020. The country's indicator score is mainly attributed to widespread corruption and the lack of private sector policies.

El Salvador's violence and security indicator for 2020 increased from the previous year. Notwithstanding, the country's indicator score is below the Western Hemisphere average of 55.0 by 7.3 points. On a positive note, the country's indicator score has improved since 2010, gradually increasing from 29.2 toward its highest score of 47.7 in 2020. The decade range for the violence and security indicator is 18.5. El Salvador's indicator score is primarily affected by the country's status as a major transit point for drug trafficking within Central America.

Grenada

Western Hemisphere / **Caribbean**

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Saint George's	340 km ²	112,519.00	\$1.089B USD	\$9,680.17 USD	Upper middle income

Convention Implementation

50.8

In progress

26th of 31 western hemisphere
8th of 11 Caribbean countries

Prevention

31.5

Core-deficient

Criminalization and law enforcement

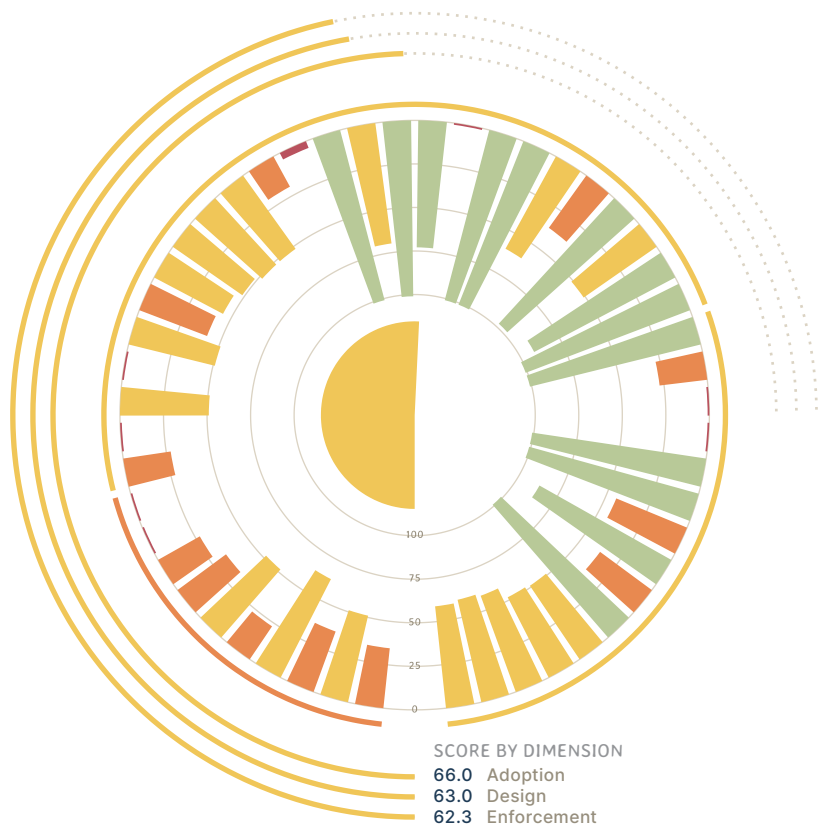
54.2

In progress

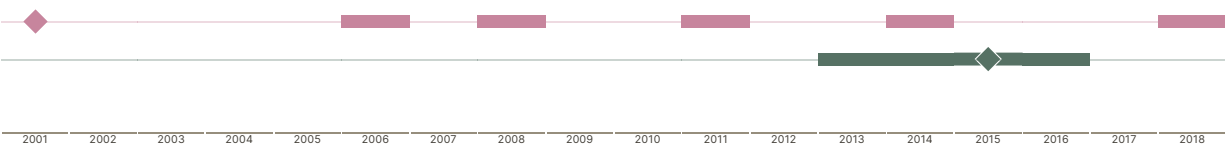
International cooperation

57.8

In progress



Anti-corruption conventions timeline



CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

KEY EVENTS

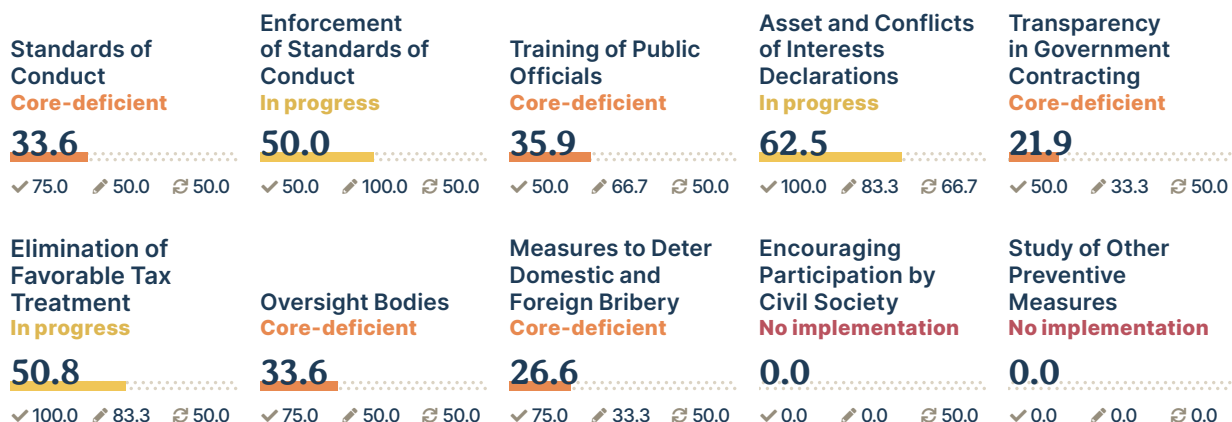
- Signed
- Ratified/ acceded
- Review rounds

Prevention

Core-deficient

31.5

✓ Adoption 57.5 ✎ Design 50.0 ⚙ Enforcement 46.7

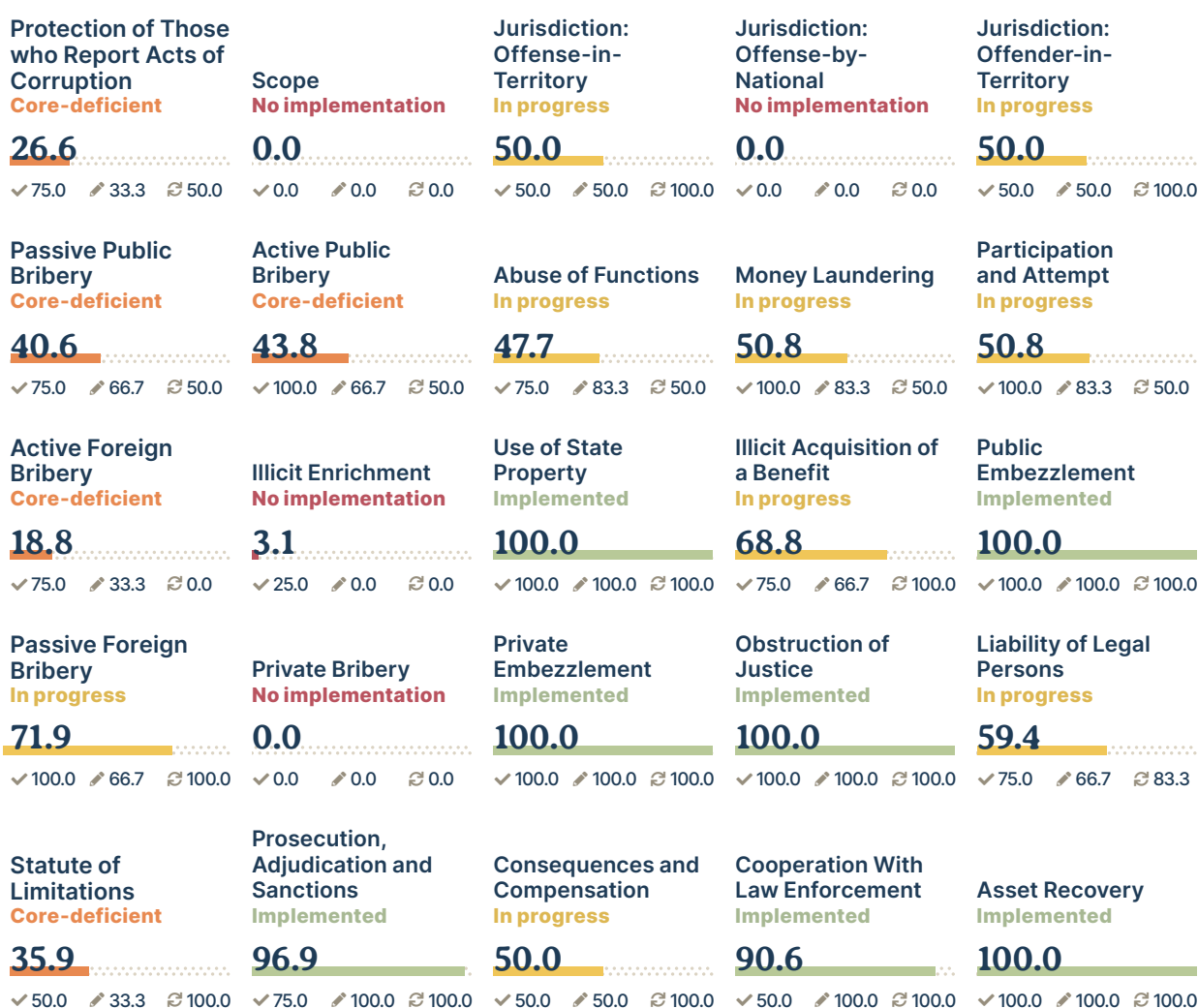


Criminalization and law enforcement

In progress

54.2

✓ Adoption 68.0 ✎ Design 61.3 ⚙ Enforcement 67.3

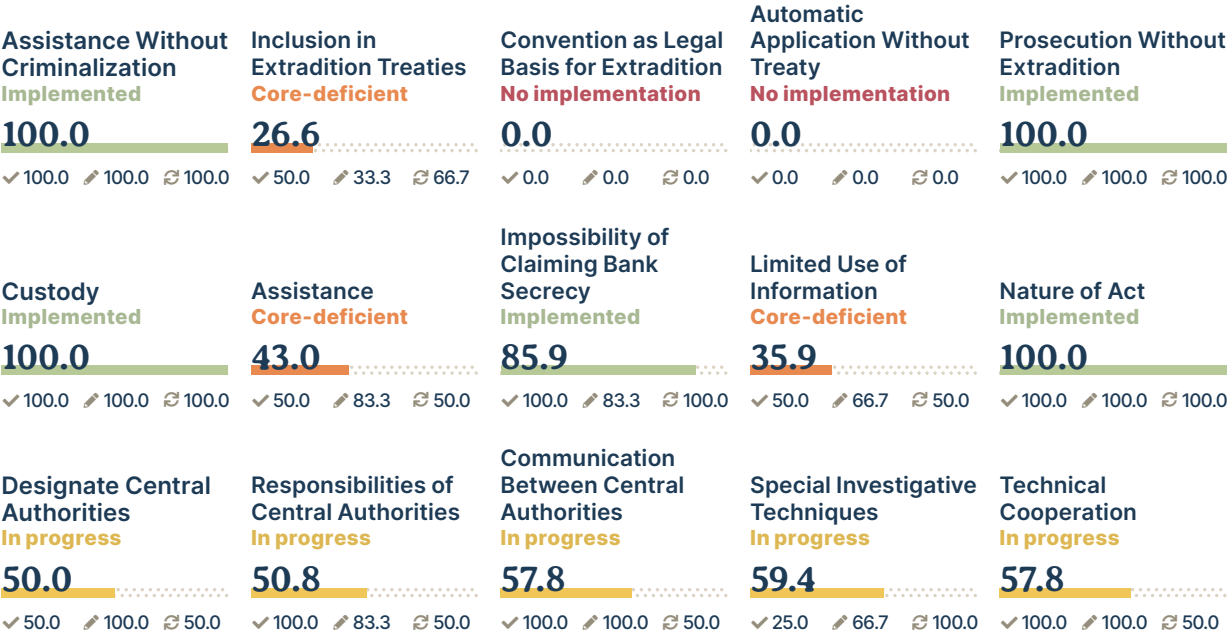


International cooperation

In progress

57.8

✓ Adoption 68.3 ✎ Design 74.4 ⚙ Enforcement 64.4

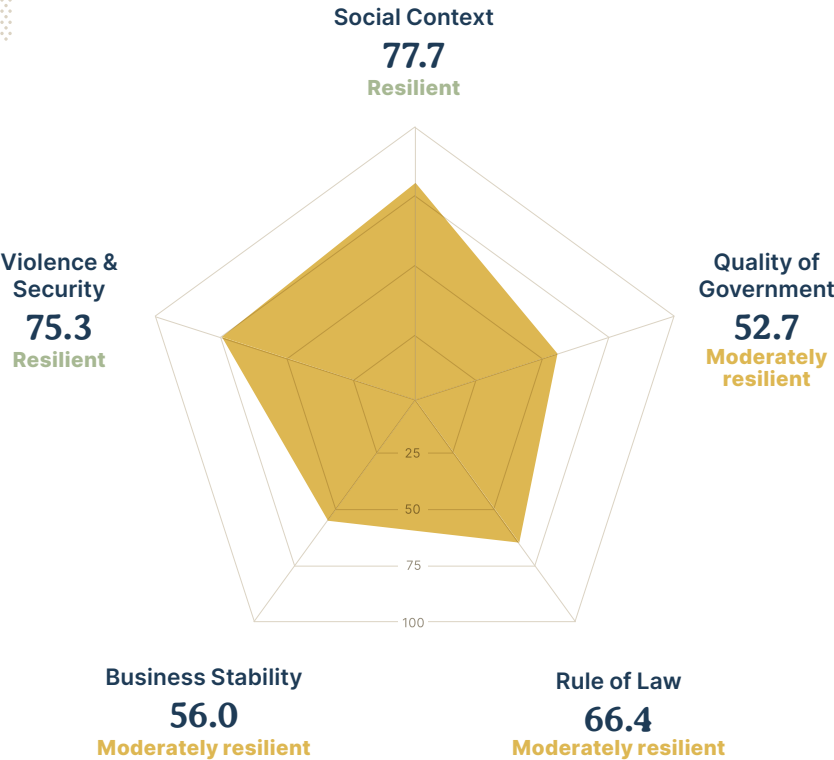


Corruption Resilience

65.6

Moderately resilient

6th of 31 western hemisphere
3rd of 11 Caribbean countries



Analysis

Convention Implementation

Grenada ratified the Inter-American Convention Against Corruption (IACAC) on November 15, 2001. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2002. The country also acceded to the United Nations Convention Against Corruption (UNCAC) on April 1, 2015. Accordingly, Grenada has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Grenada's record in implementing its commitments to IACAC and UNCAC exhibits a large number of failures and very few successes, with almost half of all measures committed to found to be deficient at core or unimplemented. With an overall score of 50.8, the measures adopted place the country squarely in the lower level of compliance with international norms, surrounded by Saint Vincent (46.7), Guyana (49.1), Trinidad and Tobago (51.1), and El Salvador (51.5). Despite the low level of implementation and enforcement, some degree of progress is found in all three sections (although leaning towards criminalization and international cooperation rather than prevention, as is the case throughout the region). Conversely, Grenada's efforts may also be described as generally lacking across the range of measures required by the conventions.

The prevention of corruption is significantly deficient, classified as "core-deficient" and with the majority of measures receiving a failing score, including transparency in government contracting (21.9), the standards of conduct (33.6), the state of oversight bodies (33.6), and the training of public officials (35.9). Furthermore, initiatives to encourage the participation of civil society and the study of preventive measures related to equitable compensation are fully missing. Concerning efforts related to civil society in Grenada, MESICIC reported in its first round of review that "there are no mechanisms for access to information... [or] provisions in law or regulation indicating that the government formally seeks public participation". The country did not submit information on results either, and it was noted in the final report of the fourth round of review (adopted in 2014) that "[i]n its response, the country under review does not present information with respect to the foregoing recommendation and its measures." Within the preventive section, only three measures reach the classification of "in progress": the enforcement of standards of conduct (50.0), the elimination of favorable tax treatment for corrupt expenditure (50.8), and the systems for registering asset and conflict of interests' declarations (62.5).

In terms of criminalization and law enforcement, Grenada shows better results than those regarding prevention—yet, significant deficiencies remain, with one third of all measures within this section classified as core-deficient or not implemented. Two significant measures are found mostly or fully lacking: the criminalization of illicit enrichment and bribery in the private sector. Other measures are found deficient at core, among which those pertaining to the active bribery of foreign officials (18.8) and the protection of those who report acts of corruption (i.e., whistleblower protection) (26.6.) deserve special attention. On the other hand, the country is found to have successfully implemented a number of commitments, including the efforts to control embezzlement in the public and private sectors and the obstruction of justice. Over one third of all measures in this section remain in progress.

Finally, Grenada's record in promoting and engaging with international cooperation is also lackluster, achieving an average section score only slightly higher than that for criminalization and law enforcement (discussed in the previous paragraph) and receiving a classification of "in progress". Among the few highlights identified here, the country is found fully compliant in its commitments to establish assistance without criminalization and prosecution without extradition. On the other hand, measures related to other aspects extradition are severely deficient, not least due to Grenada's highly restrictive list of jurisdictions for which it allows extradition. As the UNCAC review mechanism points out, "outside the Commonwealth, extradition currently only seems to be possible between Grenada and the United States of America and China, where extradition treaties exist." The issue reflects somewhat mirrors another significant deficit found within the previous section: the country has not established its jurisdiction over offenses committed by, or against, a national.

Corruption Resilience

Grenada's 2020 social context indicator increased by 1.4 points from the previous year, resulting in a score of 77.7, which exceeds the regional average of 64.9 by 12.8 points. Over the last decade, the country's score has varied in the extent of minor annual decreases but has generally avoided dramatic shifts. Grenada's highest indicator score of 82.6 was recorded in 2015 and its lowest score of 76.3 was measured in 2019. Of all the indicators listed above, the social context indicator has remained consistently high for Grenada and continues to stay above the Western Hemisphere regional average. The country's social context indicator score remained high because civil liberties

and political rights are both respected and guaranteed within the country. In 2012, Grenada decriminalized defamation, which can explain the increase in the country's scores from 2011 to 2016, 79.2 and 81.8, respectively.

With respect to the quality of government and institutions, Grenada's 2020 score declined by 1.2 points from the previous year. Despite its decrease, Grenada's indicator score is slightly above the Western Hemisphere regional average of 50.6 by 2.1 points. Throughout the decade, the country's score has varied, where the highest score achieved within this indicator was 56.6 in 2016, and its lowest score was 51.4 in 2012. The country's quality of government score is attributed to problems with corruption and government efficiency.

Grenada's rule of law indicator declined in 2020 by a marginal 0.06 points from the previous year. The indicator's Western Hemisphere regional 2020 average was 51.1, and Grenada's score (66.4) was 15.3 points above the regional average. In 2020, out of 11 Caribbean countries assessed by the indicator,

Grenada was labeled a top performer. During the decade, the mini-max range for Grenada was 40.1 (2013) and 76.7 (2016). Grenada's 2020 rule of law indicator is mainly affected by constitutional guarantees of judicial independence, which have been respected within the country.

The country's business stability indicator for 2020 increased by 6.3 points from the previous year. Grenada's indicator score is above the Western Hemisphere regional average of 50.5 by 5.5 points for 2020. Throughout the decade, the country's score has varied, where its highest score was recorded in 2010 with 64.0, and its lowest score was in 2019 with 49.7.

Grenada's violence and security indicator for 2020 declined by 2.7 points from the previous year. Regardless of the decline in the country's score, Grenada's indicator score (75.3) exceeded the Western Hemisphere average of 55.0 by 20.3 points. Over the last ten years, the mini-max range for Grenada was 62.9 (2011) and 83.3 (2015).

Guatemala

Western Hemisphere / **Central America**

CAPITAL
Guatemala City

TERRITORY
107,160 km²

POPULATION (2020)
16,858,333.00

GDP TOTAL (2020)
\$77.6B USD

GDP PER CAPITA (2020)
\$4,603.33 USD

INCOME GROUP
Upper middle income

Convention Implementation

67.2

In progress

11th of 31 western hemisphere
4th of 8 Central American countries

Prevention

51.9

In progress

Criminalization and law enforcement

67.4

In progress

International cooperation

77.0

Implemented



Anti-corruption conventions timeline



CONVENTIONS

■ IACAC - Inter-American Convention Against Corruption

■ UNCAC - United Nations Convention against Corruption

■ OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

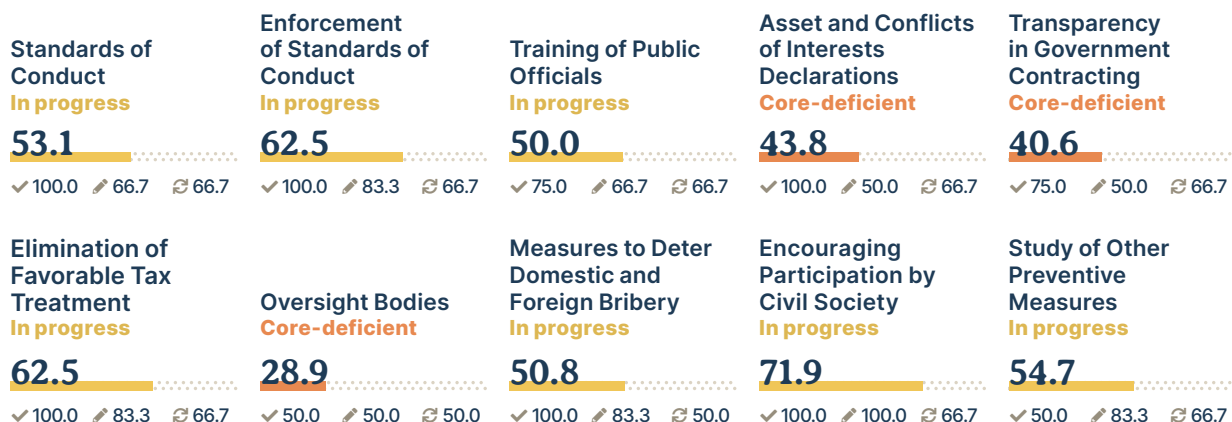
MEASURES BY THEMATIC SECTION

Prevention

In progress

51.9

✓ Adoption 85.0 ✎ Design 71.7 ⚙ Enforcement 63.3



Criminalization and law enforcement

In progress

67.4

✓ Adoption 86.0 ✎ Design 76.0 ⚙ Enforcement 77.3



International cooperation

Implemented

77.0

✓ Adoption 90.0

✎ Design 87.8

⌚ Enforcement 85.6

Assistance Without
Criminalization
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Inclusion in
Extradition Treaties
In progress

47.7

✓ 75.0 ✎ 83.3 ⌚ 50.0

Convention as Legal
Basis for Extradition
Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Automatic
Application Without
Treaty
In progress

50.0

✓ 50.0 ✎ 50.0 ⌚ 100.0

Prosecution Without
Extradition
In progress

50.0

✓ 50.0 ✎ 50.0 ⌚ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Assistance
In progress

50.8

✓ 100.0 ✎ 83.3 ⌚ 50.0

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Nature of Act
Implemented

82.8

✓ 75.0 ✎ 83.3 ⌚ 100.0

Designate Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Responsibilities of
Central Authorities
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Communication
Between Central
Authorities
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Special Investigative
Techniques
Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Technical
Cooperation
Implemented

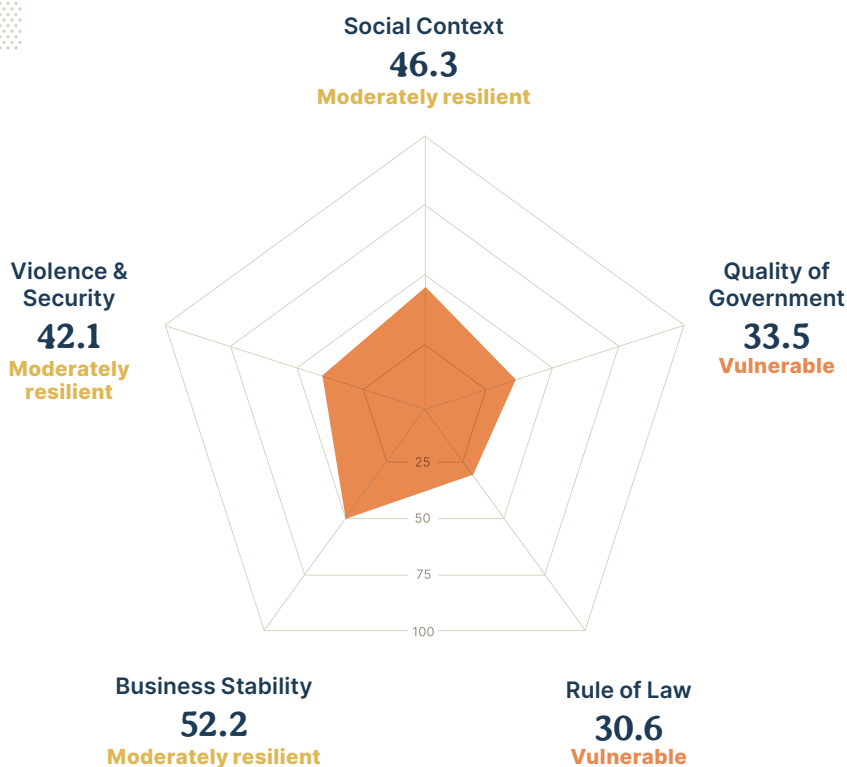
85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Corruption Resilience

41.0

Vulnerable

27th of 31 western hemisphere7th of 8 Central American countries

Analysis

Convention Implementation

Guatemala signed the Inter-American Convention Against Corruption (IACAC) on June 4, 1996, and ratified it on June 12, 2001. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since December 19, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2003, and subsequently ratified it on November 3, 2006. Accordingly, Guatemala has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Guatemala's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 67.2, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Honduras (66.6), The Bahamas (67.1), Nicaragua (67.9), and Cuba (69.3). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the majority of preventive measures are found to be in progress, while the only two unimplemented (either fully or partially) measures in the country belong to criminalization and law enforcement. Furthermore, as almost half of all measures below the "implemented" level receive a score above 50, a degree of progress can be noted in all three sections—albeit with an emphasis on international cooperation.

The prevention of corruption is undergoing, classified as "in progress" by its average score and with all but three measures given a score of 50 or above—the state of oversight bodies (28.9), transparency in government contracting (40.6), and systems for registering asset and conflict of interests' declarations (43.8), all three of which are found to be deficient at core. While these measures represent almost half of all "core-deficient" or unimplemented scores given to the country and no measures in this section are considered to be successfully implemented, there are no unimplemented commitments either. A single measure shows markedly positive progress: the initiatives to encourage the participation of civil society (71.9).

In terms of criminalization and law enforcement, Guatemala shows better results than those regarding prevention, although a few important deficiencies remain. The country has not adopted sufficient protection for those who report acts of corruption (i.e., whistleblower protection) (28.9) or utilized legal mechanisms to facilitate cooperation with law

enforcement (e.g., plea bargain) (31.3). Concerning the latter, the UNCAC review mechanism reports that, in practice, the benefits provided for in the country's Law against Organized Crime—such as the reduction of punishment and others—are not applied in corruption cases; additionally, "Guatemala has not entered into agreements with regard to the concession of such benefits to collaborators with justice at the international level." Two other measures are found fully unimplemented—the criminalization of bribery and embezzlement in the private sector (both of which are required by UNCAC). On the other hand, several measures are considered to be successfully implemented, including those pertaining to illicit enrichment, embezzlement in the public sector, the illicit acquisition of a benefit (i.e., influence trading), and most significantly the passive bribery of foreign officials (the active form received a score of 50.8) and the liability of legal persons (both of which are also required by UNCAC).

Finally, Guatemala's mild implementation of its commitments regarding international cooperation is reflected in two thirds of all measures within this section receiving an "implemented" score and no measures found deficient at core. The few measures still in progress concern extradition and mutual legal assistance, in regard to which the UNCAC review mechanism finds that "Guatemala does not maintain a system of statistics on mutual legal assistance cases, and could not recall any mutual legal assistance cases with regard to the offenses established in accordance with the Convention." However, while lack of monitoring and data collection mechanisms is a deficit commonly found in the review of other countries across the region, Guatemala satisfies the general requirement of statistical information to assess the level of implementation of legally adopted measures.

Corruption Resilience

Guatemala's social context indicator declined in 2020 by 0.9 points from the previous year, resulting in a score of 46.3, which falls below the Western Hemisphere regional average of 64.9 by 18.6 points. Since 2010, the country's score has varied with an approximately 2.5-point decline from year to year. Throughout the decade, the mini-max range for Guatemala was 46.3 (2020) and 52.1 (2010), with a range of 5.8 points. Guatemala's social context indicator score within Central American countries is one of the lowest performers.

With regard to the quality of government indicator, Guatemala's score has declined by 3.2 points

from 2019, resulting in a score of 33.5. Guatemala's current indicator score fails to reach or surpass the Western Hemisphere regional average of 50.6, by 17.1 points. Since 2010, the country's score has been on a decline, and has dropped 12.2 points between 2010 and 2020. The country's quality of government score is primarily attributed to widespread and worsening corruption within the country, the government's poor control of corruption, and generally, the state's weak-performing democracy. The country is characterized by democratic fragility and continues to face major obstacles in maintaining impartial administration and improving an inefficient bureaucratic system.

Guatemala's rule of law indicator declined in 2020 by 4.2 points from the previous year. The indicator's Western Hemisphere regional average was 51.1, and Guatemala's score failed to reach the threshold by 20.5 points. As a result, Guatemala's rule of law indicator falls within the bottom percentile for the Western Hemisphere region. During the last decade, the mini-max range for Guatemala was 30.6 (2020) and 42.3 (2010), with a range of 11.70 points. This indicator is mainly impacted by widespread corruption and government inefficiency within the country. Moreover, Guatemalan courts remain highly susceptible to political influence by internal and external

actors, which severely restricts judicial independence within the country.

In terms of business stability, the country's indicator scores for 2020 increased by 2.0 points from the previous year. Guatemala's 2020 indicator score surpasses the Western Hemisphere average of 50.5 by 1.7 points. Notably, the business stability indicator is Guatemala's only indicator which meets or surpasses the Western Hemisphere and Central American average. Throughout the decade, the country's score has varied, where its highest score of 52.2 was recorded in 2020 and its lowest score of 46.0 was measured in 2015. Guatemala's consistently low rank is largely the result of poor law enforcement, widespread corruption, and a lack of transparency in regulations that impact businesses.

Guatemala's violence and security indicator for 2020 declined by 3.4 points from the previous year. The country's indicator score fell below the Western Hemisphere average of 55.0 by 12.9 points. During the decade, the mini-max range for Guatemala was 30.8 (2011) and 45.5 (2019). The country has witnessed slight improvements in its score, but it remains consistently low. According to the OSAC, Guatemala is considered one of the most dangerous countries in the world due to the presence of violent criminal gangs like Barrio 18 (18th Street) and Mara Salvatrucha (MS13).

Transparency

MAIN REPORTING NGO

Acción Ciudadana

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Nov-2013	2013-2014	Executive Summary	Spanish

Did the government make public the contact details for the country focal point? **✗ No**

Was civil society consulted in preparation for the self-assessment? **✗ No**

Was civil society invited to provide information to the official reviewers? **✗ No**

Was the self-assessment published online or provided to CSOs? **✗ No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The civil society parallel review report for Guatemala was authored by multiple organizations using information recorded during the 2013-2014 period. The main author was Citizen Action (Acción Ciudadana), an association that promotes the political reform of the state, which collaborated with the following organizations to create the report: the Alliance for Transparency (AporT), the Guatemalan Chamber of Industry, the Guatemala Center for Studies (CEG), the National Center for Information and Research on Development and Disaster (CENACIDE), the Mutual Support Group (GAM), Guate Cívica, and the Institute of Independent Research and Analysis of Guatemala (IINAIG). Unlike most parallel reports, Guatemala's review included a significant and diverse number of civil society groups. However, the ability to obtain information for the report proved difficult. Although there is legislation to facilitate accessing public information, each institution has different restrictions and policies on complying with the law. Therefore, information requests were submitted electronically or during interviews, but in some cases the data obtained was either insufficient or non-existent.

Generally, Guatemala's legal framework complies with the guidelines contained in chapters III and IV of the UNCAC. Significant deficiencies in implementation are posed by the following: a culture of silence due to fear of retaliation, the low number of complaints filed by relevant bodies in institutional statistics, the high turnover of officials in charge of investigating corruption cases, and a lack of coordination at the operational level. The report highlighted several priority area recommendations—namely, addressing the high turnover of government personnel, the creation of a state policy to fight corruption, enhancing accessibility of information, strengthening institutional statistical systems, providing training for all relevant bodies, and establishing mechanisms for anonymous and confidential complaints, among others.

Guyana

Western Hemisphere / **South America**

CAPITAL
Georgetown

TERRITORY
196,850 km²

POPULATION (2020)
786,559.00

GDP TOTAL (2020)
\$5.471B USD

GDP PER CAPITA (2020)
\$6,955.93 USD

INCOME GROUP
Upper middle income

Convention Implementation

49.1

In progress

27th of 31 western hemisphere
11th of 12 South American countries

Prevention

32.0

Core-deficient

Criminalization and law enforcement

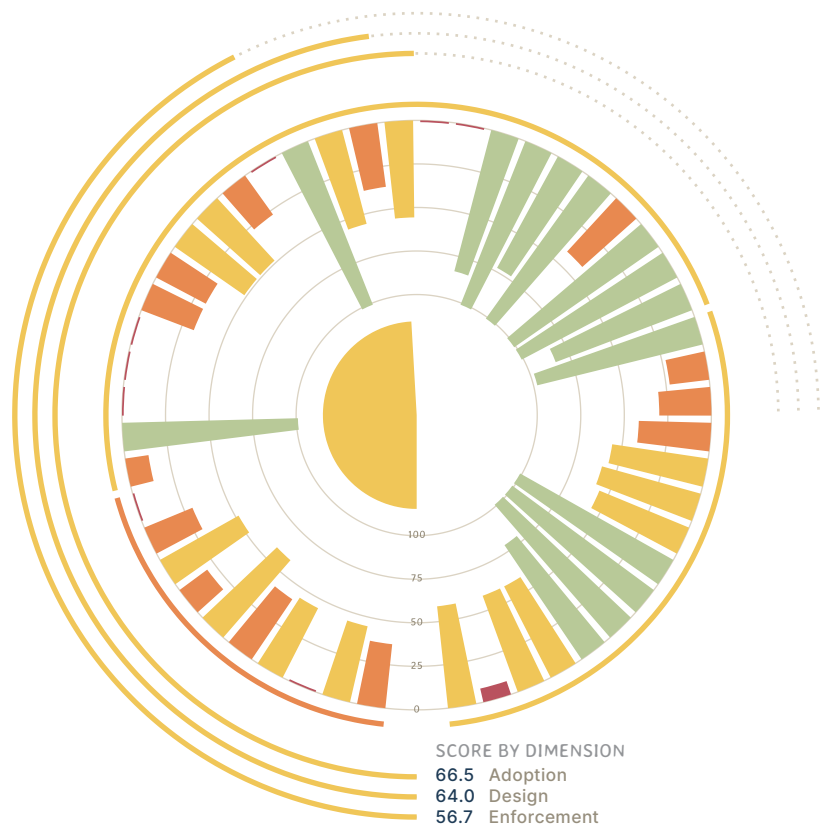
48.8

In progress

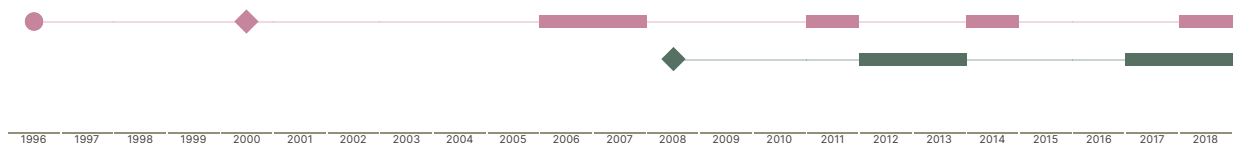
International cooperation

60.9

In progress



Anti-corruption conventions timeline



CONVENTIONS

■ IACAC - Inter-American Convention Against Corruption

■ UNCAC - United Nations Convention against Corruption

■ OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

MEASURES BY THEMATIC SECTION

Prevention

Core-deficient

32.0

✓ Adoption 65.0 ✎ Design 53.3 ⚙ Enforcement 35.0

Standards of Conduct

Core-deficient

35.9

✓ 50.0 ✎ 66.7 ⚙ 50.0

Enforcement of Standards of Conduct

Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⚙ 50.0

Training of Public Officials

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Asset and Conflicts of Interests Declarations

Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⚙ 50.0

Transparency in Government Contracting

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Elimination of Favorable Tax Treatment

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Oversight Bodies

Core-deficient

18.8

✓ 75.0 ✎ 33.3 ⚙ 0.0

Measures to Deter Domestic and Foreign Bribery

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Encouraging Participation by Civil Society

Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⚙ 50.0

Study of Other Preventive Measures

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Criminalization and law enforcement

In progress

48.8

✓ Adoption 61.0 ✎ Design 56.0 ⚙ Enforcement 60.0

Protection of Those who Report Acts of Corruption

Core-deficient

12.5

✓ 25.0 ✎ 50.0 ⚙ 0.0

Scope

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-in-Territory

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Jurisdiction: Offense-by-National

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Jurisdiction: Offender-in-Territory

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Passive Public Bribery

Core-deficient

31.3

✓ 75.0 ✎ 66.7 ⚙ 33.3

Active Public Bribery

Core-deficient

31.3

✓ 75.0 ✎ 66.7 ⚙ 33.3

Abuse of Functions

In progress

47.7

✓ 75.0 ✎ 83.3 ⚙ 50.0

Money Laundering

In progress

47.7

✓ 75.0 ✎ 83.3 ⚙ 50.0

Participation and Attempt

Core-deficient

26.6

✓ 75.0 ✎ 50.0 ⚙ 33.3

Active Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Illicit Enrichment

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Use of State Property

In progress

54.7

✓ 75.0 ✎ 50.0 ⚙ 100.0

Illicit Acquisition of a Benefit

Core-deficient

35.9

✓ 50.0 ✎ 33.3 ⚙ 100.0

Public Embezzlement

In progress

54.7

✓ 75.0 ✎ 50.0 ⚙ 100.0

Passive Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Embezzlement

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Obstruction of Justice

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Liability of Legal Persons

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Statute of Limitations

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Prosecution, Adjudication and Sanctions

Core-deficient

40.6

✓ 75.0 ✎ 33.3 ⚙ 100.0

Consequences and Compensation

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Cooperation With Law Enforcement

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Asset Recovery

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

International cooperation

In progress

60.9

✓ Adoption 76.7

✎ Design 84.4

⌚ Enforcement 65.6

Assistance Without
Criminalization
Implemented

96.9

✓ 75.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
Core-deficient

21.9

✓ 50.0 ✎ 33.3 ⌚ 50.0

Convention as Legal
Basis for Extradition
Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⌚ 50.0

Automatic
Application Without
Treaty
Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⌚ 50.0

Prosecution Without
Extradition
In progress

54.7

✓ 75.0 ✎ 100.0 ⌚ 50.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Assistance
In progress

54.7

✓ 75.0 ✎ 100.0 ⌚ 50.0

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
Implemented

78.1

✓ 50.0 ✎ 100.0 ⌚ 83.3

Responsibilities of
Central Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Communication
Between Central
Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Special Investigative
Techniques
No implementation

7.0

✓ 0.0 ✎ 16.7 ⌚ 50.0

Technical
Cooperation
In progress

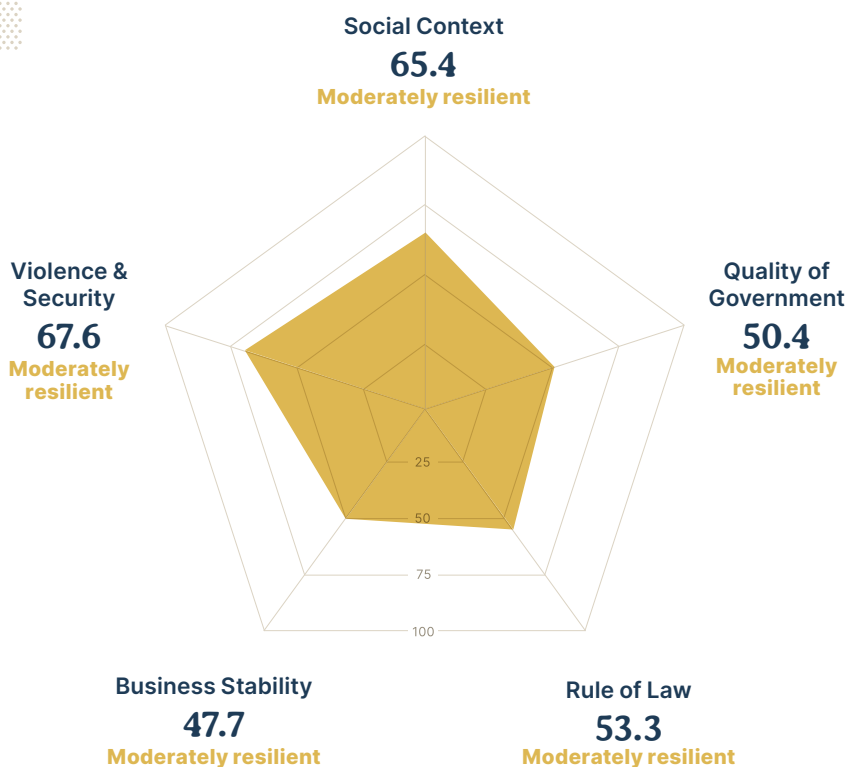
57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Corruption Resilience

56.9

Moderately resilient

15th of 31 western hemisphere5th of 12 South American countries

Analysis

Convention Implementation

Guyana signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on December 11, 2000. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2002. The country also acceded to the United Nations Convention Against Corruption (UNCAC) on April 16, 2008. Accordingly, Guyana has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Guyana's record in implementing its commitments to IACAC and UNCAC exhibits a large number of failures and a few successes, with almost half of all measures committed to found to be deficient at core or unimplemented. With an overall score of 49.1, the measures adopted place the country squarely in the lower level of compliance with international norms, surrounded by Dominica (38.4), Saint Vincent (46.7), Grenada (50.8), and Trinidad and Tobago (51.1). Although the country evidences a gradual increase in the rate success from one section of measures to the other, the difference is not enough to bring special attention to the distribution of efforts. Yet, as is the case throughout the region, the prevention of corruption receives a lower score (32.0) than both criminalization and law enforcement (48.8) and international cooperation (60.9). Overall, it may be said that Guyana's efforts are generally lacking across the range of measures required by the conventions.

The prevention of corruption is significantly deficient, classified as "core-deficient" and with over three quarters of all measures in this section found to be deficient or unimplemented. Deficient measures include the state of oversight bodies (18.8), initiatives to encourage the participation of civil society (28.9), and the standards of conduct (35.9) and their enforcement (43.8), among others. Concerning the oversight bodies in the country, the report of the fourth round of review of MESICIC (adopted in 2014) highlights severe problems within the Judicial Service Commission ("the President and the Leader of the Opposition have not been able to agree on the appointment of the Chancellor of the Judiciary for almost ten years" and "other two or three members... have not been appointed either"), the Office of the Director of Public Prosecutions (it "does not have investigative powers"), and the Audit Office (its budget "only represents approximately 0.2% of the national budget" and it relies on international grants). Furthermore, the training of public officials and the

study of preventive measures related to equitable compensation are considered to be fully missing. Within this section, only two measures reach the classification of "in progress": actions to deter domestic and foreign bribery related to accounting regulations, and the elimination of favorable tax treatment for corrupt expenditure.

In terms of criminalization and law enforcement, Guyana shows better results than those regarding prevention—yet, significant deficiencies remain, with almost half of all of measures within this section classified as core-deficient or not implemented. The country is found to have successfully implemented several key commitments—including the criminalization of illicit enrichment. Whereas significant measures are found completely lacking—the criminalization of active and passive bribery of foreign officials and bribery in the private sector. Other measures are found deficient at core, including the protection of those who report acts of corruption (i.e., whistleblower protection) (12.5) and those pertaining to active and passive bribery in the public sector (both scoring 31.3) and the illicit acquisition of a benefit (i.e., influence trading) (35.9), among others.

Among the severe problems identified in connection with criminalization and law enforcement, the country's limited jurisdiction over the offenses covered by the conventions deserves special attention, as Guyana has not established jurisdiction over offenses committed in its territory or by a national, or when the offender is present in its territory, and it does not extradite them. Guyana's record in promoting and engaging with international cooperation is also lackluster, yet it receives a general classification of "in progress." Among the bigger issues reported by the UNCAC review mechanism are the findings that "extradition is limited to Commonwealth countries" and the United States of America (the sole country with which Guyana has concluded an extradition treaty); and that the two-years-minimum threshold for extraditable offenses "means that not all Convention offenses are extraditable offenses."

Finally, the review of implementation and/or enforcement activities pertaining to most measures contained in this report could not be elaborated on due to the lack of information. Guyana is frequently cited during MESICIC rounds as providing little or no statistical information to assess the level of implementation of legally adopted measures. While lack of monitoring and data collection mechanisms is not solely found in Guyana, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Guyana's social context indicator declined in 2020 by 0.9 points from the previous year, resulting in a score of 65.4 which surpasses the Western Hemisphere regional average of 64.9 by 0.5 points. Since 2010, the country's score has been declining by approximately 0.05 and 1.5 points. Over the decade, the mini-max range for Guyana fluctuated between 65.4 (2020) and 70.4 (2010), with a range of 5 points. Guyana's social context indicator score within South American countries is a moderate performer (6/12), with Uruguay being a top performer for South America. The country's social context indicator has been consistently high to moderate mainly because civil liberties and political rights have largely been respected. However, according to Reporters Without Borders, press freedoms are restricted when journalist investigations or reports disagree with the narratives produced by the political party in power.

The country's quality of government indicator declined in 2020 by 0.7 points from the previous year, resulting in a score of 50.4, which falls below the Western Hemisphere regional average of 50.6 by 0.2 points. However, the country's score has steadily improved over the last decade. Guyana achieved its highest social context score of 52.3 in 2018 and its lowest score of 45.8 in 2012. Guyana is ranked within the top 5 performing countries in the South American region, with Uruguay holding the highest rank within the subregion. The country's quality of government score is primarily attributed to corruption and government inefficiencies.

With regard to the rule of law indicator, Guyana's 2020 score declined by 1.0 points from the previous

year. The indicator's Western Hemisphere regional 2020 average was 51.1, and Guyana's score was 2.2 points above the regional average. Like the social context indicator, Guyana's scores across the rule of law indicator placed the country within the top performing countries in the South American region, with Chile holding the highest rank for the subregion. Over the last decade, the mini-max range for Guyana fluctuated between 42.1 (2011) and 54.3 (2019). During this time, the country has consistently held an average score for the indicator, which has been largely shaped by political disputes that destabilize the efficiency of the judiciary.

The country's business stability indicator for 2020 increased by 1.4 points from the previous year resulting in a score of 47.7, which fails to meet the Western Hemisphere average of 50.5 by 2.8 points for 2020. Since 2010, the country's score has varied, where its highest score was of 47.7 was attained in 2020 and its lowest score of 42.2 was reached in 2015. The country's score is mainly influenced by complex and ineffective regulations which impact the private sector disproportionately and remain unevenly enforced.

With respect to the violence and security indicator, Guyana's 2020 score rose by 11.2 points from the previous year. The country's indicator score surpassed the Western Hemisphere average of 55.0 by 12.6 points. Over the last ten years Guyana's indicator score range between its highest score of 56.4 in 2019 and 67.6 in 2020. While the country has witnessed improvements in its score during this period, the score remains impacted by serious challenges posed by organized crime.

Haiti

Western Hemisphere / **Caribbean**

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Port-au-Prince	27,560 km ²	11,402,533.00	\$13.42B USD	\$1,176.75 USD	Lower middle income

Convention Implementation

58.2

In progress

21st of 31 western hemisphere
5th of 11 Caribbean countries

Prevention

28.9

Core-deficient

Criminalization and law enforcement

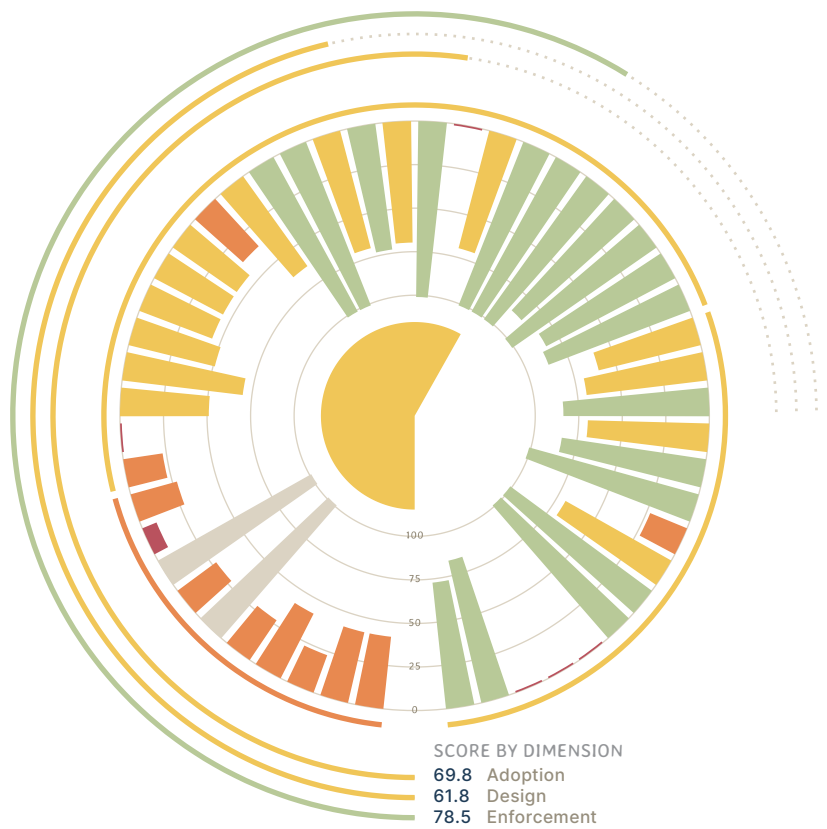
66.1

In progress

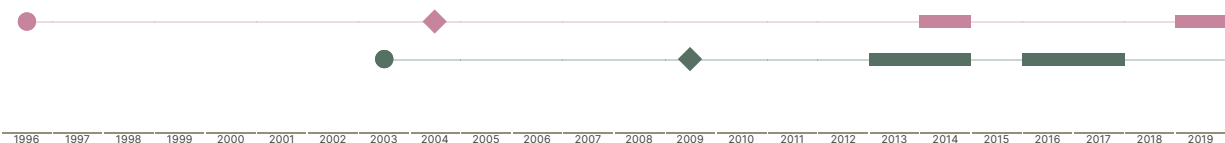
International cooperation

60.5

In progress



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

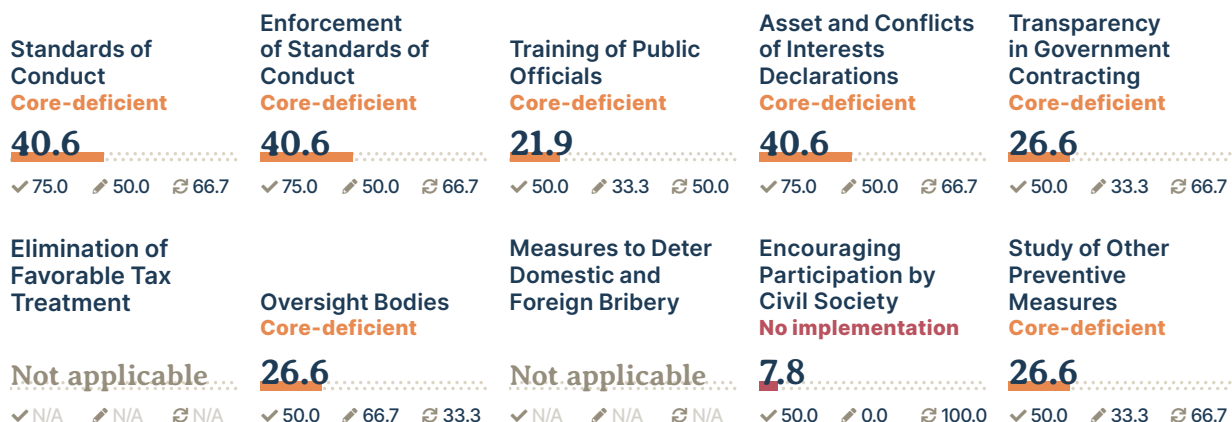
□ Review rounds

Prevention

Core-deficient

28.9

✓ Adoption 59.4 ✎ Design 39.6 ⚙ Enforcement 64.6



Criminalization and law enforcement

In progress

66.1

✓ Adoption 79.0 ✎ Design 66.7 ⚙ Enforcement 86.0



International cooperation

In progress

60.5

✓ Adoption 60.0 ✎ Design 65.6 ⚙ Enforcement 73.3

Assistance Without Criminalization
In progress

59.4

✓ 25.0 ✎ 66.7 ⚙ 100.0

Inclusion in Extradition Treaties
In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Convention as Legal Basis for Extradition
Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Automatic Application Without Treaty
In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Prosecution Without Extradition
Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Assistance
Core-deficient

21.9

✓ 25.0 ✎ 66.7 ⚙ 33.3

Impossibility of Claiming Bank Secrecy
In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Limited Use of Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central Authorities
No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Responsibilities of Central Authorities
No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Communication Between Central Authorities
No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Special Investigative Techniques
Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Technical Cooperation
In progress

71.9

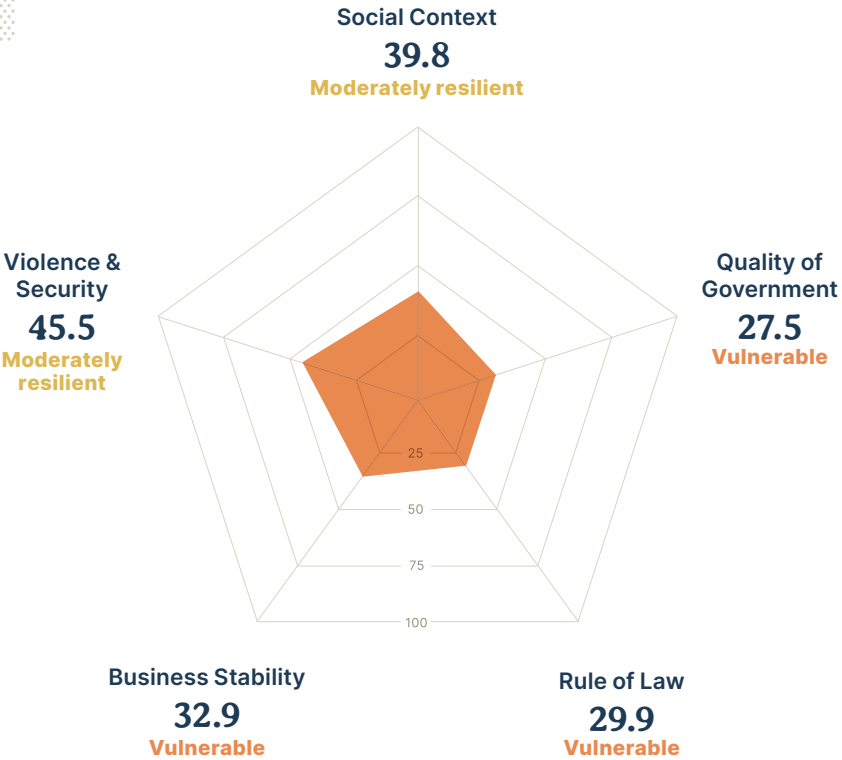
✓ 100.0 ✎ 100.0 ⚙ 66.7

Corruption Resilience

35.1

Vulnerable

29th of 31 western hemisphere
11th of 11 Caribbean countries



Analysis

Convention Implementation

Haiti signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on April 14, 2004. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since December 9, 2010. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on September 14, 2009. Accordingly, Haiti has undergone two rounds of review under MESICIC, covering the provisions selected for review within the framework of the first and fourth rounds, and the second and fifth rounds, respectively; and one round of review under the UNCAC review mechanism.

Haiti's record in implementing its commitments to IACAC and UNCAC exhibits more failures than successes. With an overall score of 58.2, the measures adopted place the country in the lower level of compliance with international norms—but not far from countries at the middle point—surrounded by Dominican Republic (55.7), Belize (58.1), Paraguay (60.8), and Venezuela (61.0). Progress in implementation is unequally distributed. Although over one third of all measures related to criminalization and law enforcement—as well as to international cooperation—have been fully or largely implemented, all preventive measures analyzed were found to be deficient at core or unimplemented.

The prevention of corruption is mostly lacking, classified as “core-deficient” by its average score and with prominent measures given a score below 30—the training of public officials, transparency in government contracting, the state of oversight bodies, and the study of preventive measures related to equitable compensation. Concerning training, the report of the fifth round of MESICIC (adopted in 2019) concludes that there are “insufficient provisions and/or measures for providing instruction to personnel in the public-sector entities selected by the country under review to ensure proper understanding of their responsibilities and the ethical rules governing their activities.” Furthermore, “[n]either in its response to the questionnaire nor during the on-site visit did the country under review provide statistical information on the results of the instruction given to personnel...” Preventive measures account for almost half of all underdeveloped measures in the country. The highest score within this section, 40.6, is given to the country's adoption of standards of conduct and their implementation, and the systems for registering asset and conflict of interests' declarations.

In terms of criminalization and law enforcement, Haiti shows much better results than those regarding prevention—yet, significant deficiencies remain, with roughly a quarter of all measures within this section classified as core-deficient or not implemented. The country is found to have fully implemented a number of commitments, including significant ones pertaining to the active and passive bribery of foreign officials, illicit enrichment, obstruction of justice, and the liability of legal persons, among others. However, the criminalization of bribery in the private sector (as required by UNCAC) is found completely lacking, and two important measures are generally lacking: the protection of those who report acts of corruption (i.e., whistleblower protection) (21.9) and the criminalization of money laundering (35.9). To these, three additional measures also receive deficient scores, albeit reflecting a less severe state—the criminalization of active and passive bribery in the public sector and abuse of functions, all of which are given a score of 43.8. Other measures, such as the criminalization of the illicit acquisition of a benefit (i.e., influence trading) and embezzlement in the public and private sectors, remain in progress.

Finally, the country is found only partially compliant with its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism reports that “Haiti has not established its jurisdiction over offenses committed on board a vessel that is flying the flag of Haiti or on board an aircraft that is registered in Haiti, offenses committed by a stateless person who has his or her habitual residence in Haiti or acts preparatory to money-laundering that have been committed abroad.” Haiti's record in promoting and engaging with international cooperation is also lackluster, evaluated as below that of criminalization and law enforcement—yet it receives a general classification of “in progress”. Among the bigger issues reported are the findings by MESICIC during its fourth round concerning the issue that the ministry responsible for handling requests for mutual legal assistance “does not have an office or service for international legal cooperation specifically charged with handling all requests for legal assistance received from foreign jurisdictions.” Moreover, the UNCAC review mechanism reports that “Haiti has not adopted a general legislative framework on international cooperation.”

Corruption Resilience

Haiti's social context indicator score declined by 1 point from the previous year—producing a score of 39.8 for 2020—and dramatically fails to reach the regional average (64.9) by 25.1 points. The country's

score has been steadily declining since 2010, and its current score is also grouped within the 25th percentile. Over the last ten years, Haiti's highest recorded score (47.7) was achieved in 2013 and 2014, while its lowest score of 39.8 was reached in 2020. The country's social context indicator score is primarily affected by the poor status of civil liberties and political rights within Haiti. One example of this is the 2017 presidential election, which was fraught with irregularities. While the Haitian constitution protects freedom of expression, in practice, journalists face serious challenges in the form of government interference. Following the adoption of the 2017 defamation law, conditions for media have worsened and journalists are also exposed to threats of violence when reporting or investigating sensitive issues.

With regard to the quality of governance and institutions, Haiti's score declined 0.1 points from the previous year, producing a score of 27.5. The country's score ranks among the lowest within the Western Hemisphere, where its indicator falls 23.1 points below the average threshold of 50.6 for 2020. Over the last ten years, the country's score has steadily plummeted by 8.8 points from 2010 to 2020. The lowest quality of government score achieved was 27.5 which was recorded in 2012. The highest indicator score, 36.3, was measured in 2010. The current score is primarily attributed to several factors, namely the lack of impartial bureaucracy, controls of corruption, and poor checks on government power. The former was particularly pronounced during the presidency of Jovenel Moïse, who ruled by decree since legislative elections were postponed indefinitely. The former president, alongside President

Michel Martelly, was also involved in the multibillion-dollar Petro-Caribe scandal.

In 2020, Haiti's rule of law indicator showed a decrease of 2.2 points from the previous year, and much like the previous indicators, fell below the Western Hemisphere regional average. Throughout the decade, the country's rule of law score has varied, achieving its highest score of 34.1 in 2018 and its lowest score of 29.9 in 2020. The country's current score of 29.9 ranked within the bottom 25th percentile for the region but remained largely impacted by several deficiencies, namely the susceptibility of the judiciary to political pressure and its lack of independence despite constitutional guarantees.

The country's business stability indicator for 2020 increased by 0.8 points from the previous year. Despite the country's score increase, Haiti's score still trails behind the Western Hemisphere average of 50.5 by 17.6 points. The country's score has varied throughout the decade, ranging from 2010 and 2020 by 2.8 points. In 2020, the business stability score is primarily impacted by a lack of property rights, rule-based governance ratings, and inefficiencies across regulations.

The violence and security index for Haiti in 2020 increased by 9.50 points from the previous year. However, despite this increase in Haiti's score, it still falls below the Western Hemisphere regional average of 55.0 by 9.5 points for 2020. The country's decade-long scores have varied but have been consistently low. This is particularly concerning as the score was attributed to pronounced rates of organized crime and widespread trafficking.

Honduras

Western Hemisphere / Central America

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Tegucigalpa	111,890 km ²	9,904,608.00	\$23.83B USD	\$2,405.73 USD	Lower middle income

Convention Implementation

66.6

In progress

13th of 31 western hemisphere
5th of 8 Central American countries

Prevention

52.3

In progress

Criminalization and law enforcement

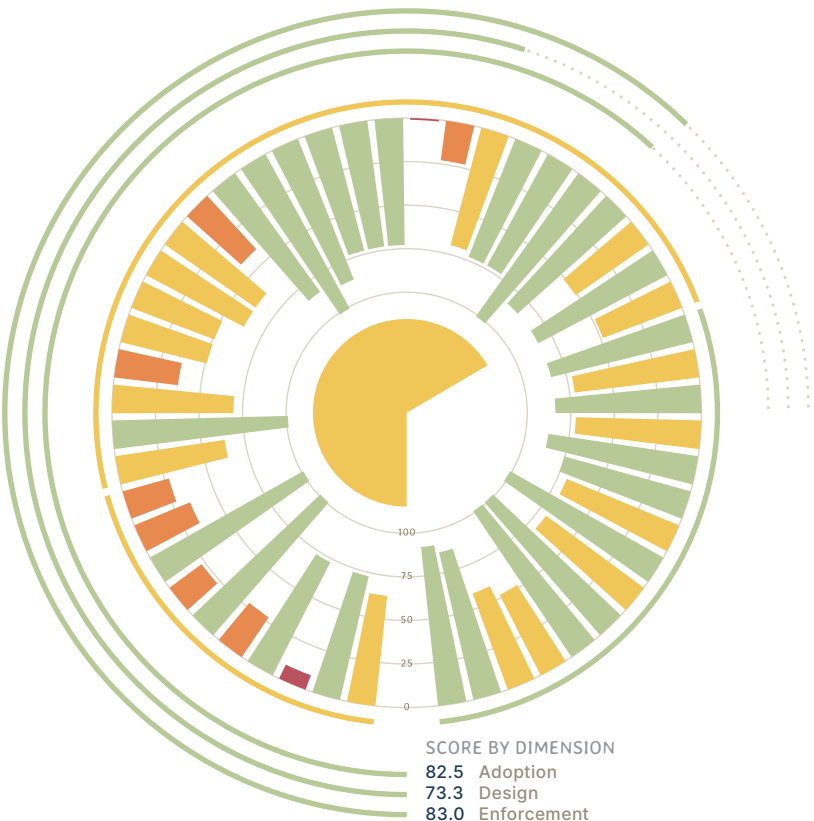
64.6

In progress

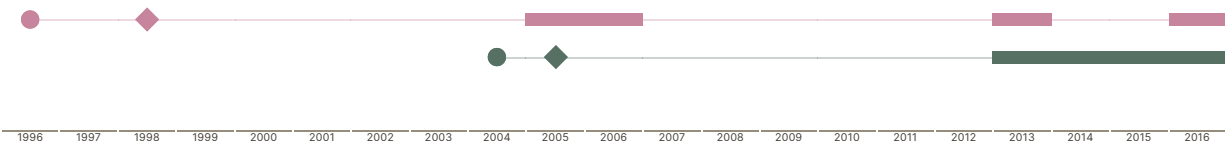
International cooperation

79.4

Implemented



Anti-corruption conventions timeline



CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

KEY EVENTS

- Signed
- Ratified/acceded
- Review rounds

MEASURES BY THEMATIC SECTION

Prevention

In progress

52.3

✓ Adoption 82.5 ✎ Design 63.3 ⚙ Enforcement 65.0

Standards of Conduct

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Enforcement of Standards of Conduct

In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Training of Public Officials

No implementation

7.8

✓ 50.0 ✎ 0.0 ⚙ 50.0

Asset and Conflicts of Interests Declarations

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Transparency in Government Contracting

Core-deficient

26.6

✓ 75.0 ✎ 50.0 ⚙ 33.3

Elimination of Favorable Tax Treatment

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Oversight Bodies

Core-deficient

21.9

✓ 50.0 ✎ 50.0 ⚙ 33.3

Measures to Deter Domestic and Foreign Bribery

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Encouraging Participation by Civil Society

Core-deficient

33.6

✓ 75.0 ✎ 50.0 ⚙ 50.0

Study of Other Preventive Measures

Core-deficient

26.6

✓ 75.0 ✎ 33.3 ⚙ 50.0

Criminalization and law enforcement

In progress

64.6

✓ Adoption 80.0 ✎ Design 66.0 ⚙ Enforcement 89.3

Protection of Those who Report Acts of Corruption

In progress

62.5

✓ 100.0 ✎ 66.7 ⚙ 83.3

Scope

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-in-Territory

In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Jurisdiction: Offense-by-National

Core-deficient

35.9

✓ 50.0 ✎ 33.3 ⚙ 100.0

Jurisdiction: Offender-in-Territory

In progress

50.0

✓ 50.0 ✎ 50.0 ⚙ 100.0

Passive Public Bribery

In progress

50.0

✓ 75.0 ✎ 66.7 ⚙ 66.7

Active Public Bribery

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Abuse of Functions

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Money Laundering

Core-deficient

40.6

✓ 75.0 ✎ 50.0 ⚙ 66.7

Participation and Attempt

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Active Foreign Bribery

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Illicit Enrichment

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Use of State Property

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Illicit Acquisition of a Benefit

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Public Embezzlement

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Passive Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Bribery

Core-deficient

21.9

✓ 50.0 ✎ 16.7 ⚙ 100.0

Private Embezzlement

In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Obstruction of Justice

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Liability of Legal Persons

In progress

71.9

✓ 100.0 ✎ 66.7 ⚙ 100.0

Statute of Limitations

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Prosecution, Adjudication and Sanctions

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Consequences and Compensation

In progress

50.0

✓ 50.0 ✎ 50.0 ⚙ 100.0

Cooperation With Law Enforcement

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Asset Recovery

In progress

47.7

✓ 75.0 ✎ 50.0 ⚙ 83.3

International cooperation

Implemented

79.4

✓ Adoption 86.7 ✎ Design 92.2 ⚙ Enforcement 84.4

Assistance Without Criminalization
Implemented

82.8

✓ 75.0 ✎ 100.0 ⚙ 83.3

Inclusion in Extradition Treaties
In progress

71.1

✓ 75.0 ✎ 83.3 ⚙ 83.3

Convention as Legal Basis for Extradition
Implemented

82.8

✓ 75.0 ✎ 100.0 ⚙ 83.3

Automatic Application Without Treaty
In progress

71.1

✓ 75.0 ✎ 83.3 ⚙ 83.3

Prosecution Without Extradition
Implemented

85.9

✓ 100.0 ✎ 100.0 ⚙ 83.3

Custody
Implemented

74.2

✓ 100.0 ✎ 83.3 ⚙ 83.3

Assistance
In progress

68.8

✓ 75.0 ✎ 100.0 ⚙ 66.7

Impossibility of Claiming Bank Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of Information
In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Responsibilities of Central Authorities
In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Communication Between Central Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Special Investigative Techniques
Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Technical Cooperation
Implemented

90.6

✓ 50.0 ✎ 100.0 ⚙ 100.0

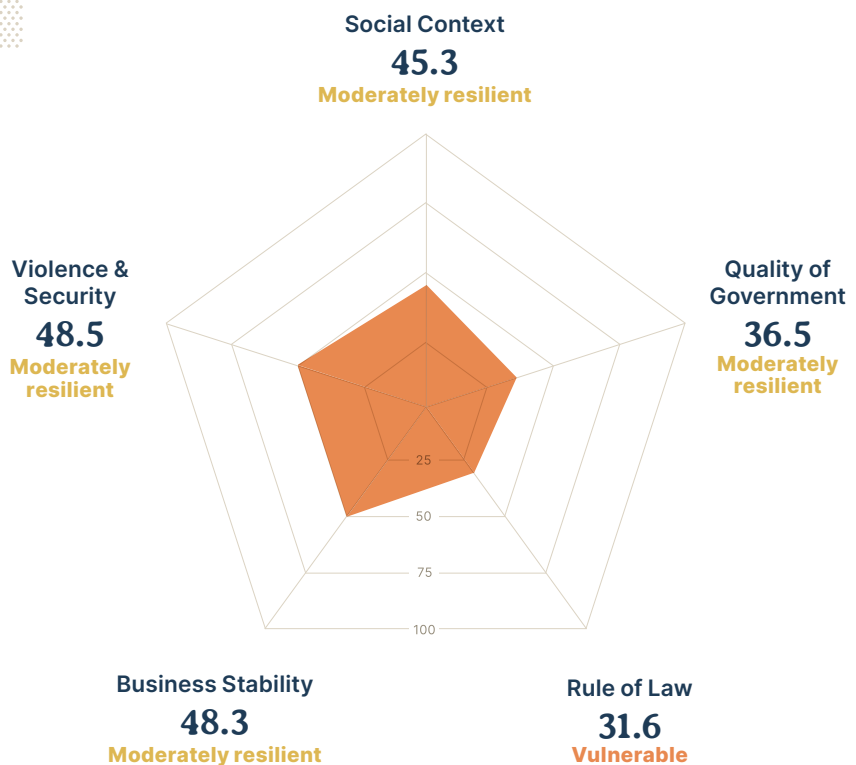
Corruption Resilience

42.1

Vulnerable

26th of 31 western hemisphere

6th of 8 Central American countries



Analysis

Convention Implementation

Honduras signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on May 25, 1998. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since December 8, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on May 17, 2004, and subsequently ratified it on May 23, 2005. Accordingly, Honduras has undergone four rounds of review (Honduras was suspended from OAS between 2009 and 2011 and did not take part in the third round of review) under MESICIC, and one round of review under the UNCAC review mechanism.

Honduras's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 66.6, the measures adopted place the country squarely at the middle point of compliance with international norms, surrounded by Ecuador (65.1), Uruguay (66.1), The Bahamas (67.1), and Guatemala (67.2). However, progress in implementation is somewhat unequally distributed. While the country evidences only a gradual increase in the rate of success from one section of measures to the other, over half of all deficient and unimplemented measures are found in regard to prevention. That being said, all but one measures below the "implemented" level receive a score of 50 or above—a degree of progress that reflects the overall state of the country's performance.

The prevention of corruption is undergoing, classified as "in progress" by its average score but with substantial differences across the section, with half of all measures found to be deficient or unimplemented. The deficient measures are the state of oversight bodies (21.9), transparency in government contracting (26.6), the study of preventive measures related to equitable compensation (26.6), and the initiatives to encourage the participation of civil society (33.6). The training of public officials receives a score of 7.8 and is considered to be unimplemented. In this respect, the Honduran Prosecutors' Association informed during the fifth round of MESICIC that "[t]here is no structured system in the country that provides for and ensures the proper training of employees of public institutions." It is also reported that "Honduras does not have a body that is dedicated to the training of public employees" and that challenges arise from "a lack of funding, human resources, and the necessary infrastructure to meet the training needs of all of the employees of the central government." On the other hand,

two measures are found to be fully implemented—the actions to deter domestic and foreign bribery related to accounting regulations, and the elimination of favorable tax treatment for corrupt expenditure.

In terms of criminalization and law enforcement, Honduras shows better results than those regarding prevention, with almost two thirds of all measures within this section are found in progress. Indeed, a number of significant measures receive a score above 60—the criminalization of active bribery in the public sector, abuse of functions, the illicit acquisition of a benefit (i.e., influence trading), public embezzlement, and obstruction of justice. Furthermore, two important measures required by UNCAC also receive positive scores: the liability of legal persons and the criminalization of embezzlement in the private sector (both with a score of 71.9)—although the criminalization of bribery in the private sector and passive bribery of foreign officials, also required by UNCAC, are found deficient and fully unimplemented, respectively. The country's efforts pertaining to money laundering are also considered to be deficient.

Finally, Honduras's mild implementation of its commitments regarding international cooperation is reflected in almost two thirds of all measures within this section receiving an "implemented" score and no measures found deficient at core or unimplemented.

Corruption Resilience

Honduras's 2020 social context indicator increased by 0.2 points from the previous year, resulting in a score of 45.3, which fails to meet the regional average of 64.9 by 19.6 points and falls within the bottom percentile for the Western Hemisphere. The country's performance across the subregion was poor, where it received one of the lowest ranks (7/8), followed by Nicaragua. Throughout the decade, the mini-max range for Honduras was 42.5 (2011/2012) and 52.7 (2014), with a range of 10.2 points. Honduras's social context indicator was attributed to the dramatically poor status of civil liberties and political rights throughout the country. While constitutional guarantees 'protect' press freedom, journalists are frequently subject to harassment, intimidation, and death threats. According to Reports Without Borders, following the 2009 coup d'état, the government has consistently targeted the media.

With regard to the quality of governance and institutions, the country's score decreased by 3 points from the previous year, resulting in a score of 36.5. Honduras's indicator score is substantially low

and falls below the Western Hemisphere regional average of 50.6 by 14.1 points. Since 2010, the country's score has steadily declined, wherein 2010, the country's score was 45.1, 8.6 points dropped between 2010 and 2020. The country's quality of government score is attributed to widespread and worsening corruption within the country, the government's lack of control over corruption, and weak-performing democracy. The country is characterized by democratic fragility.

Honduras's rule of law indicator declined in 2020 by 3.8 points from the previous year. The indicator's Western Hemisphere regional 2020 average was 51.1, and Honduras's score was 19.5 points below the regional average. Honduras's rule of law indicator falls within the bottom percentile for the Western Hemisphere region. Over the last decade, the mini-max range for Honduras was 31.6 (2020) and 41.1 (2011), with a range of 9.5 points. Honduras's 2020 rule of law indicator was primarily impacted by the lack of judicial independence and impartiality, which remains susceptible to the influence of powerful political and business elites.

In terms of Honduras's business stability score, the country's indicator increased by 0.5 points from

the previous year but continues to fall below the regional average of 50.5 for 2020. Throughout the decade, the country's indicator score has varied, where its highest score was achieved in 2017 with 59.5, and its lowest score was in 2015 with 44.0. Honduras's business stability indicator is primarily influenced by the lack of efficiency in regulations and widespread corruption.

The country's violence and security indicator for 2020 increased by 8.4 points from the previous year, resulting in a score of 48.5. Of all the previous indicators, Honduras's violence and security score has improved the most dramatically. Despite this improvement, Honduras's score fails to meet the Western Hemisphere average of 55.0 by 6.5 points. Throughout the last decade, the mini-max range for Honduras was 33.5 (2014) and 48.5 (2020), with a range of 14.95 points. While the country has experienced slight improvements in its score, it consistently ranks below its subregional counterparts. Honduras's violence and security indicator score for 2020 was primarily influenced by the country's unprecedented homicide rate and the widespread presence of criminal gangs.

Jamaica

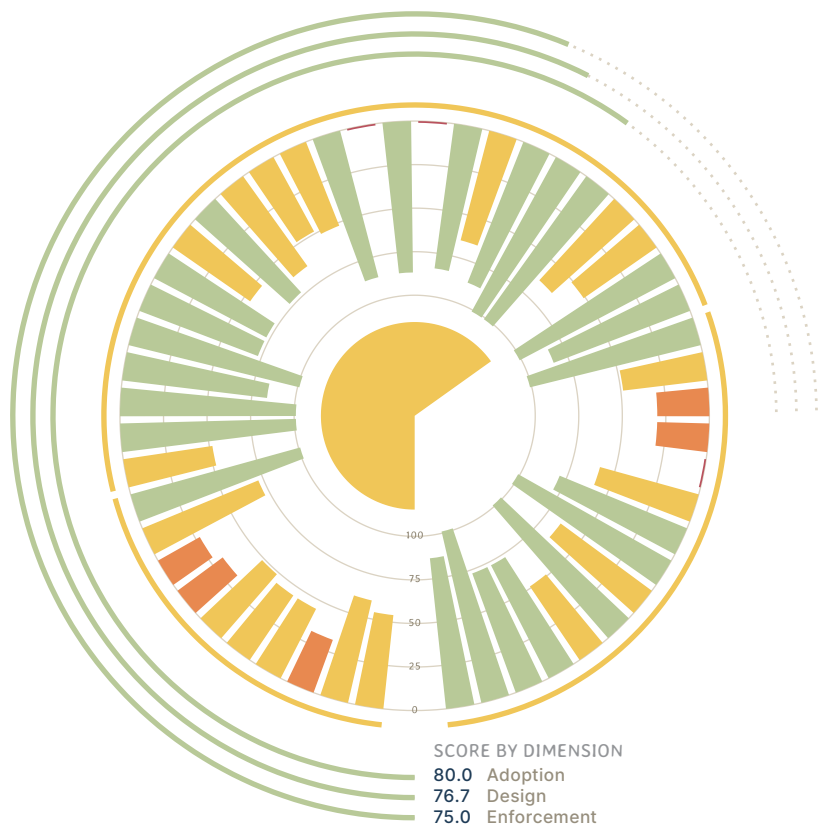
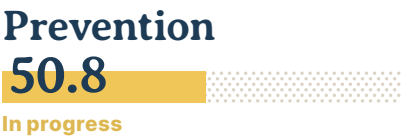
Western Hemisphere / Caribbean

CAPITAL Kingston	TERRITORY 10,830 km ²	POPULATION (2020) 2,961,161.00	GDP TOTAL (2020) \$13.81B USD	GDP PER CAPITA (2020) \$4,664.52 USD	INCOME GROUP Upper middle income
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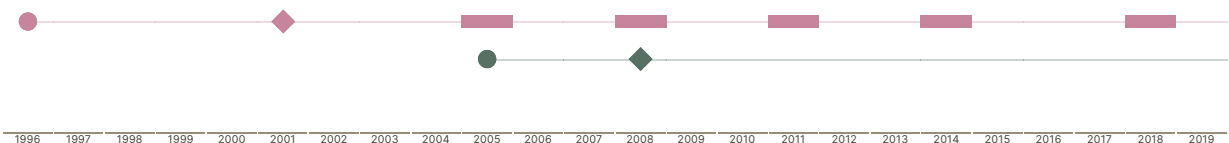
Convention Implementation



16th of 31 western hemisphere
4th of 11 Caribbean countries



Anti-corruption conventions timeline



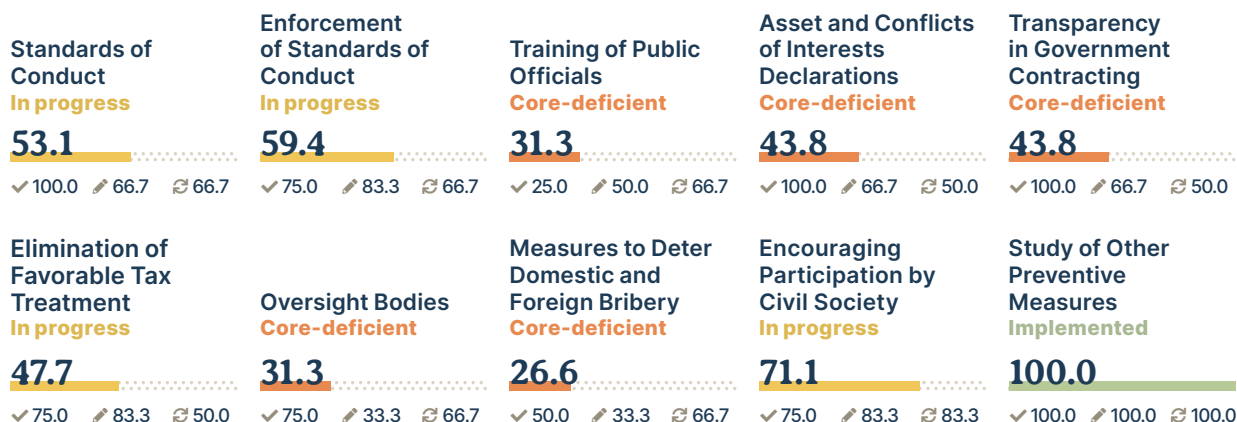
CONVENTIONS	KEY EVENTS
<ul style="list-style-type: none"> IACAC - Inter-American Convention Against Corruption UNCAC - United Nations Convention against Corruption OECD Anti-Bribery Convention 	<ul style="list-style-type: none"> Signed Ratified/acceded Review rounds

Prevention

In progress

50.8

✓ Adoption 77.5 ✎ Design 66.7 ⚙ Enforcement 66.7



Criminalization and law enforcement

In progress

70.5

✓ Adoption 84.0 ✎ Design 78.7 ⚙ Enforcement 79.3



International cooperation

In progress

65.7

✓ Adoption 75.0

✎ Design 80.0

⌚ Enforcement 73.3

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
In progress

47.7

✓ 75.0 ✎ 83.3 ⌚ 50.0

Convention as Legal
Basis for Extradition
Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⌚ 50.0

Automatic
Application Without
Treaty
Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⌚ 50.0

Prosecution Without
Extradition
No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Assistance
Implemented

78.1

✓ 50.0 ✎ 100.0 ⌚ 83.3

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
In progress

64.1

✓ 50.0 ✎ 66.7 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
In progress

50.0

✓ 50.0 ✎ 50.0 ⌚ 100.0

Responsibilities of
Central Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 ⌚ 66.7

Communication
Between Central
Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 ⌚ 66.7

Special Investigative
Techniques
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Technical
Cooperation
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

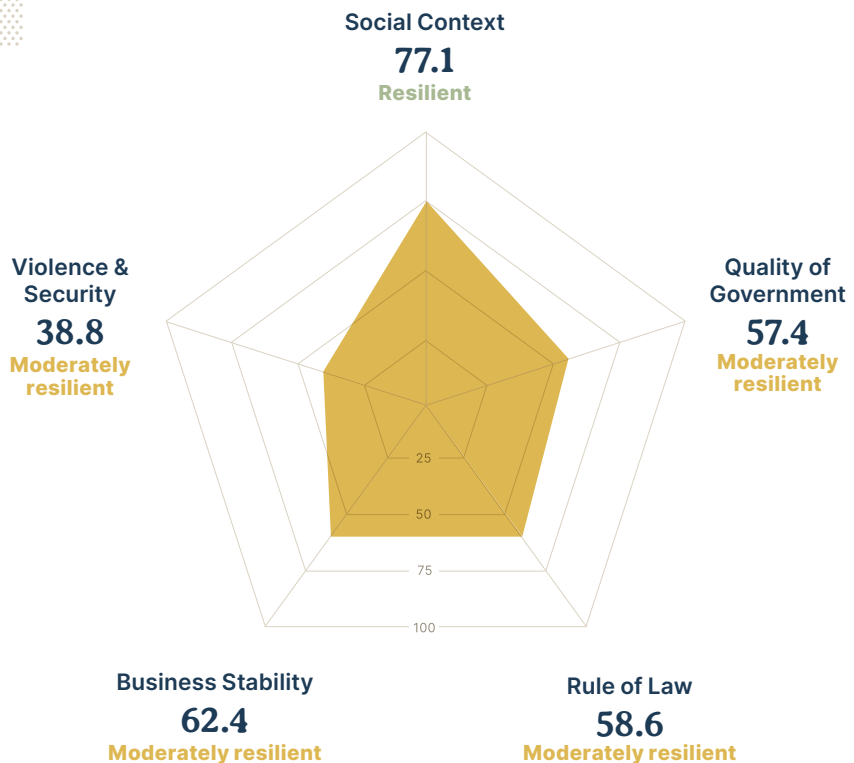
Corruption Resilience

58.8

Moderately resilient

14th of 31 western hemisphere

8th of 11 Caribbean countries



Analysis

Convention Implementation

Jamaica signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on March 16, 2001. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2002. The country also signed the United Nations Convention Against Corruption (UNCAC) on September 16, 2005, and subsequently ratified it on March 5, 2008. Accordingly, Jamaica has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Jamaica's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 65.1, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Bolivia (62.7), Panama (63.5), Ecuador (65.1), and Uruguay (66.1). However, progress in implementation is somewhat unequally distributed. The country achieves higher success in regard to criminalization and international cooperation while half of all deficient and unimplemented measures are found in regard to prevention. That being said, three quarters of all measures evaluated here receive a score of 50 or above—a degree of progress that reflects the overall state of the country's performance.

The prevention of corruption is undergoing, classified as “in progress” by its average score and with prominent measures given a score of 50 or above—the adoption of standards of conduct (53.1) and their enforcement (59.4), and the initiatives to encourage the participation of civil society (71.1). The study of preventive measures related to equitable compensation is considered to be fully implemented. On the other hand, half of all measures within this section fail to achieve sufficient progress—the actions to deter domestic and foreign bribery related to accounting regulations (26.6), the training of public officials (31.3), the state of oversight bodies (31.3) and—to a lesser degree—the systems for registering asset and conflict of interests' declarations and transparency in government contracting (both of which receive an encouraging score of 43.8), among others.

In terms of criminalization and law enforcement, Jamaica shows better results than those regarding prevention—and slightly better than those for international cooperation, as well. In fact, only three measures within this section receive a score below 50 and one of them is classified as “in progress”. The

country is found to have successfully implemented a number of significant commitments, including those pertaining to embezzlement in the public sector, bribery in the private sector, and the liability of legal persons (the latter two required by UNCAC), among others. On the other hand, only two measures are found fully unimplemented: the criminalization of the illicit acquisition of a benefit (i.e., influence trading) and the passive bribery of foreign officials. Other important measures, such as the criminalization of active bribery of foreign officials (47.7), illicit enrichment (50.8) and abuse of functions (53.1), as well as the efforts to protect those who report acts of corruption (i.e., whistleblowing protection) (50.8) remain clearly in progress. Regarding the above-mentioned state of regulations addressing foreign bribery, the country's efforts are found to be in progress due to limitations in their legal features and unreported results. According to the UNCAC review mechanism, “[a]ctive bribery of foreign public officials is criminalized... but does not include officials of public international organizations.”

Finally, Jamaica is found largely compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. However, the UNCAC review mechanism reports that Jamaica's jurisdiction “does not include offenses... relating to bribery in the private sector,” which is all the more relevant given that the country has otherwise successfully criminalized bribery in the private sector (as mentioned in the previous paragraph). Furthermore, it is also highlighted that “Jamaica does not take [UNCAC] as legal basis for cooperation on extradition and only uses bilateral treaties or the London Scheme applicable to Commonwealth States.” That being said, the overall level of implementation the country's commitments regarding international cooperation is found to be in progress, with an average section score of 65.7.

Corruption Resilience

Jamaica's social context indicator for 2020 was 77.1, an increase of 2.7 points from the previous year. The country's social context indicator is 12.2 points above the Western Hemisphere average of 64.9, grouping Jamaica's score within the top percentile for the region. Since 2010, Jamaica has experienced an increase in its social context score and has recorded consistently high levels of political rights, civil liberties, and media freedom, which are respected, guaranteed, and backed by the country's constitution. In

2020, Reporters Without Borders noted the country is among the safest for journalists, particularly when compared to its regional counterparts.

The quality of government indicators, in 2020, saw an increase of 1.2 points from the previous year. Jamaica's current score of 57.4 exceeds the regional average by 6.8 points. However, the country still ranks below the top-performing countries in the region. Between 2010 and 2020, Jamaica's score has remained constant within a range of 5.4 points, where its score did not have any significant changes. Despite the country's consistent scores, Jamaica's quality of government indicator continues to be influenced by high levels of corruption within the country.

In 2020, Jamaica had a marginal increase of 0.6 points in the rule of law indicator, 7.5 points above the regional average of 51.1. Over the decade, the country's rule of law has varied but always remained above the regional average. The constitution protects and ensures judicial independence from political interference, particularly within the higher levels

of the judiciary. Despite the independence of the court, widespread corruption continues to pose problems within the lower courts.

With regard to the business stability indicator, Jamaica's 2020 score decreased by 1 point from the previous year, resulting in a score of 62.4. The country's business stability indicator falls within the top percentile for the region and is primarily attributed to an effective business regulatory system, protected property rights, and rule-based governance relating to economic activity.

The 2020 violence and security indicators for Jamaica was 38.8, which decreased from the preceding year by 2.6 points. Across this indicator, Jamaica's scores rank within the lower percentile for the Western Hemisphere region. The country's indicator score is primarily influenced by the presence of violent crime and crime resulting from drug trafficking networks. The country also struggles with high rates of homicide, reporting 46.5 homicides per 100 000 inhabitants in 2020.

Mexico

Western Hemisphere / **Central America**

CAPITAL
Mexico City

TERRITORY
1,943,950 km²

POPULATION (2020)
128,932,753.00

GDP TOTAL (2020)
\$1.076T USD

GDP PER CAPITA (2020)
\$8,346.70 USD

INCOME GROUP
Upper middle income

Convention Implementation

69.7

In progress

7th of 31 western hemisphere
2nd of 8 Central American countries

Prevention

65.4

In progress

Criminalization and law enforcement

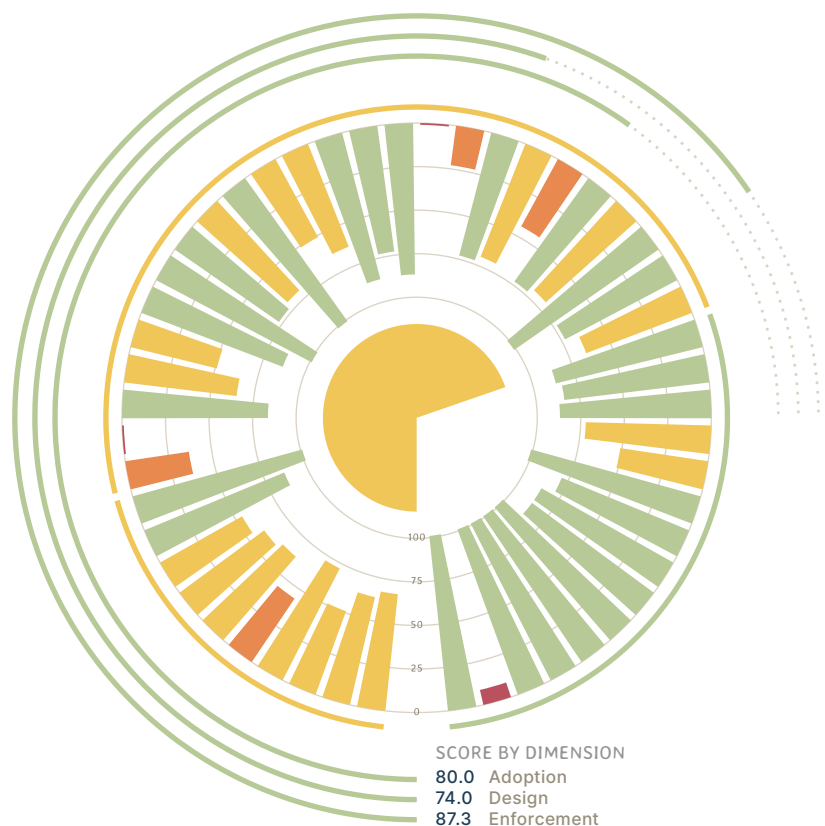
63.9

In progress

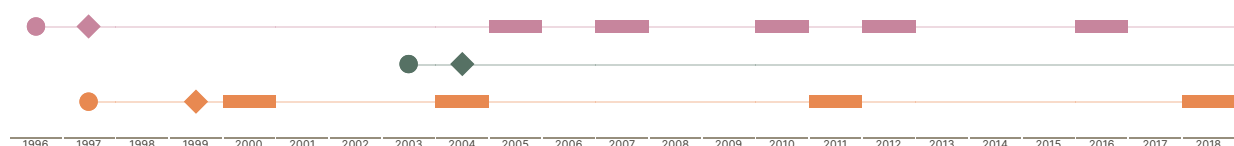
International cooperation

82.2

Implemented



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

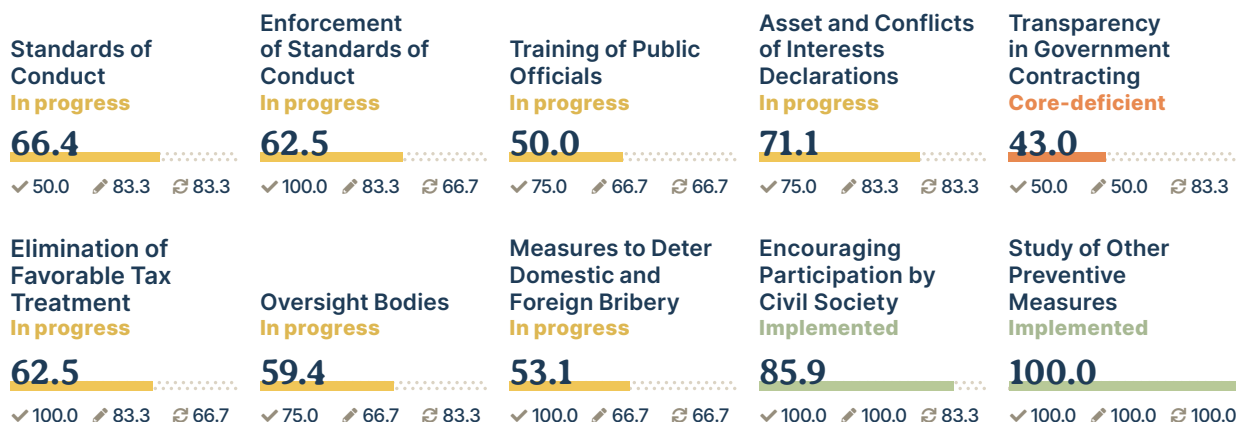
MEASURES BY THEMATIC SECTION

Prevention

In progress

65.4

✓ Adoption 82.5 ✎ Design 78.3 ⚙ Enforcement 78.3

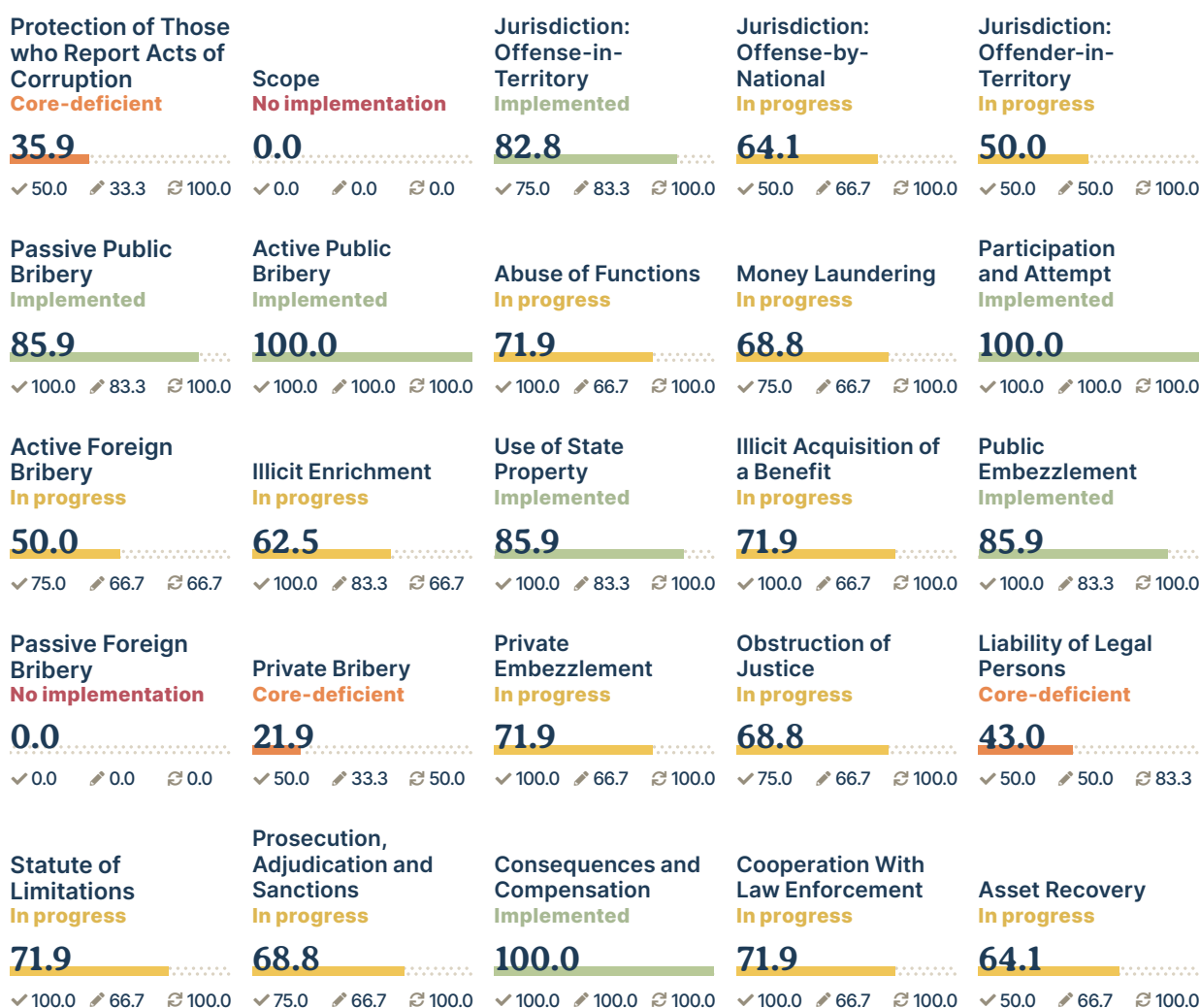


Criminalization and law enforcement

In progress

63.9

✓ Adoption 75.0 ✎ Design 64.7 ⚙ Enforcement 86.7



International cooperation

Implemented

82.2

✓ Adoption 86.7

✎ Design 86.7

⌚ Enforcement 94.4

Assistance Without
Criminalization
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Inclusion in
Extradition Treaties
Implemented

82.8

✓ 75.0 ✎ 83.3 ⌚ 100.0

Convention as Legal
Basis for Extradition
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Automatic
Application Without
Treaty
In progress

71.1

✓ 75.0 ✎ 83.3 ⌚ 83.3

Prosecution Without
Extradition
In progress

50.0

✓ 50.0 ✎ 50.0 ⌚ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Assistance
Implemented

78.1

✓ 50.0 ✎ 100.0 ⌚ 83.3

Impossibility of
Claiming Bank
Secrecy
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Limited Use of
Information
Implemented

85.9

✓ 100.0 ✎ 83.3 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Responsibilities of
Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Communication
Between Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Special Investigative
Techniques
No implementation

7.8

✓ 50.0 ✎ 0.0 ⌚ 100.0

Technical
Cooperation
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

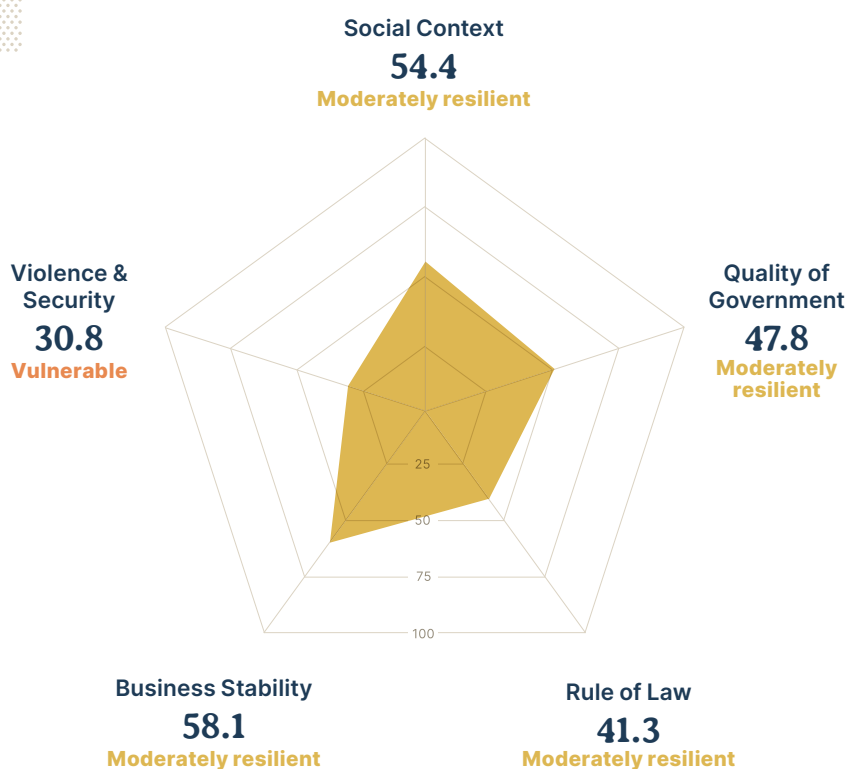
Corruption Resilience

46.5

Moderately resilient

24th of 31 western hemisphere

5th of 8 Central American countries



Analysis

Convention Implementation

Mexico signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on May 27, 1997. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2003, and subsequently ratified it on July 20, 2004. Mexico is also party to the OECD Anti-Bribery Convention (OECD-ABC), having signed it on December 17, 1997, and deposited the instrument of ratification on May 27, 1999. Accordingly, Mexico has undergone six rounds of review under MESICIC (of which only the first five were considered here, as the final report for the sixth round was only adopted on September 16, 2021), two round of review under the UNCAC review mechanism (of which, for comparability purposes, only the first one was considered here), and four phases of evaluation by the OECD Working Group on Bribery.

Mexico's record in implementing its commitments to IACAC, UNCAC, and OECD-ABC exhibits a number of successes and very few failures. With an overall score of 69.7, the measures adopted place the country at the upper middle point of compliance with international norms, surrounded by Cuba (69.3), Antigua and Barbuda (69.5), Brazil (69.8), and Chile (70.5). Despite achieving higher success in regard to international cooperation (as is the case throughout the region) all but one preventive measure is found to be in progress or implemented. Furthermore, contrary to the regional pattern, Mexico evidences higher performance in the implementation of measures pertaining to the prevention of corruption rather than criminalization and law enforcement. Mexico's efforts are generally well distributed across all three sections.

The prevention of corruption is undergoing, classified as "in progress" by its average score and with only one measure found somewhat deficient—transparency in government contracting (43.0). Regarding this, among the problems identified by MESICIC during the second round and that remained largely unresolved in the fifth round, it was reported that "[although] applicants for a position in the House [of Deputies] must meet the necessary requirements and undergo the psychometric, knowledge, and skills tests required for the profile of the position in question, no kind of merit-based selection procedure is provided to fill the career staff vacancies." A similar issue was found regarding the federal judicial branch: "there is no merit-based selection procedure for choosing persons [from the list of successful

applicants] to fill vacancies". On the other hand, prominent measures within this section are given a score above 60, including the standards of conduct and their enforcement, and the systems for registering asset and conflict of interests' declarations; and the state of oversight bodies receives a score of 59.4. Indeed, almost three quarters of all preventive measures are considered to be in progress; and the initiatives to encourage the participation of civil, as well as the study of preventive measures related to equitable compensation, are considered to be implemented. These results reflect the generally satisfactory distribution of progress.

In terms of criminalization and law enforcement, Mexico shows slightly lower results than those regarding prevention, although significant measures are found implemented. Among other measures, the country has taken satisfactory actions to criminalize active and passive bribery in the public sector, embezzlement in the public sector, and extended forms of involvement in the commission of corruption offenses such as participation and attempt. On the other hand, significant measures were found to be deficient or unimplemented: the criminalization of passive bribery of foreign officials, the criminalization of bribery in the private sector (21.9), the liability of legal persons (43.0) (all three of which are required by UNCAC), and the protection of those who report acts of corruption (i.e., whistleblower protection) (35.9). Other measures remain in progress.

Finally, Mexico is found only partially compliant with its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism reports that "Mexico has not established its jurisdiction over offenses committed by a stateless person who has his or her habitual residence in Mexico or over crimes against the State." Furthermore, "it does not establish jurisdiction in cases where Mexico does not extradite a person". That being said, the overall level of the country's commitments regarding international cooperation shows a favorable result, with an average section score of 65.7 and over two thirds of all measures within this section found implemented.

Corruption Resilience

Mexico's social context indicator score for 2020 declined by a marginal 0.03 points from the previous year, resulting in a score of 54.4, which fails to meet the region average of 64.9 by 10.5 points. The country's indicator score falls within the bottom percentile and ranks among the lowest scores of the Western Hemisphere and Central American regions.

Throughout the decade, Mexico's indicator score has fluctuated, where it achieved the highest score in 2010 with 59.4 and its lowest score of 51.2 in 2012. The country's decade range is 8.2 points. Mexico's social context indicator for 2020 is mainly influenced by limited civil liberties and political rights within the country. When journalists report on organized crime, drug trafficking, and corruption concerning press freedom, the media faces threats and violence. According to Reporters Without Borders, the collusion between organized crime and government officials has posed a serious challenge for the media. It has further increased the threat and violence they face within the country.

With regard to the quality of governance and institutions, the country's indicator has increased by a marginal 0.03 from the previous year. Despite the marginal increase in the country's indicator score, Mexico's indicator has been consistently within the 40 and 50 range. Mexico's indicator score falls within the 25th percentile for the Western Hemisphere countries. The indicator average for the Western Hemisphere in 2020 was 50.6, and Mexico falls below the average by 2.8 points. Throughout the decade, Mexico's indicator score has varied, where its highest score was 56.2 in 2010, and its lowest score was 47.8 in 2019. Mexico's indicator score is primarily influenced by widespread corruption, a lack of impartial administration, and weak checks on government power within the country.

Mexico's rule of law indicator declined by a marginal 0.02 points from the previous year, resulting in a score of 41.3 for 2020. Over the last ten years, Mexico's rule of law score has steadily declined by approximately 2-3 points annually. The country's score is grouped within the 25th percentile for the Western Hemisphere countries and falls 9.8 points

below the regional average for the rule of law indicator. During the decade, the minimum and maximum scores for Mexico were 40.9 (2013) and 45.6 (2010), with a range of 4.7 points. Mexico's indicator score is mainly attributed to the country's serious deficit in the rule of law. The 2008 constitutional reforms have only resulted in minor improvement within the judicial system, and inefficiencies, delays, and corruption plague the judicial system in Mexico.

In terms of the country's business stability, Mexico's score declined in 2020 by 1.8 points from the previous year. Unlike previous indicators, Mexico's business stability indicator surpasses the Western Hemisphere average of 50.5 by 7.6 points. Despite exceeding the regional average, Mexico's score has declined since 2010. Over the last ten years, the minimum and maximum scores for Mexico were 58.1 (2020) and 64.6 (2011), with a range of 6.5 points. The country's business stability score for 2020 is primarily attributed to corruption, and a lack of efficiency and transparency in regulations.

Mexico's violence and security indicator for 2020 increased by 0.4 points from the previous year, resulting in a score of 30.8. Despite this marginal increase in score, Mexico still suffers from serious challenges concerning violence and security. Mexico's score is substantially below the Western Hemisphere average of 55.0 and fails to meet the threshold by 24.2 points. The country's score has varied throughout the decade but has consistently remained low compared to its regional counterparts. During the decade, the minimum and maximum scores for Mexico were 18.8 (2014) and 36.6 (2011), with a range of 17.8 points. The country's violence and security indicator score for 2020 is primarily impacted by the serious challenges the country faces from organized crime and drug trafficking.

Nicaragua

Western Hemisphere / Central America

CAPITAL Managua	TERRITORY 120,340 km ²	POPULATION (2020) 6,624,554.00	GDP TOTAL (2020) \$12.62B USD	GDP PER CAPITA (2020) \$1,905.25 USD	INCOME GROUP Lower middle income
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Convention Implementation



In progress
10th of 31 western hemisphere
3rd of 8 Central American countries



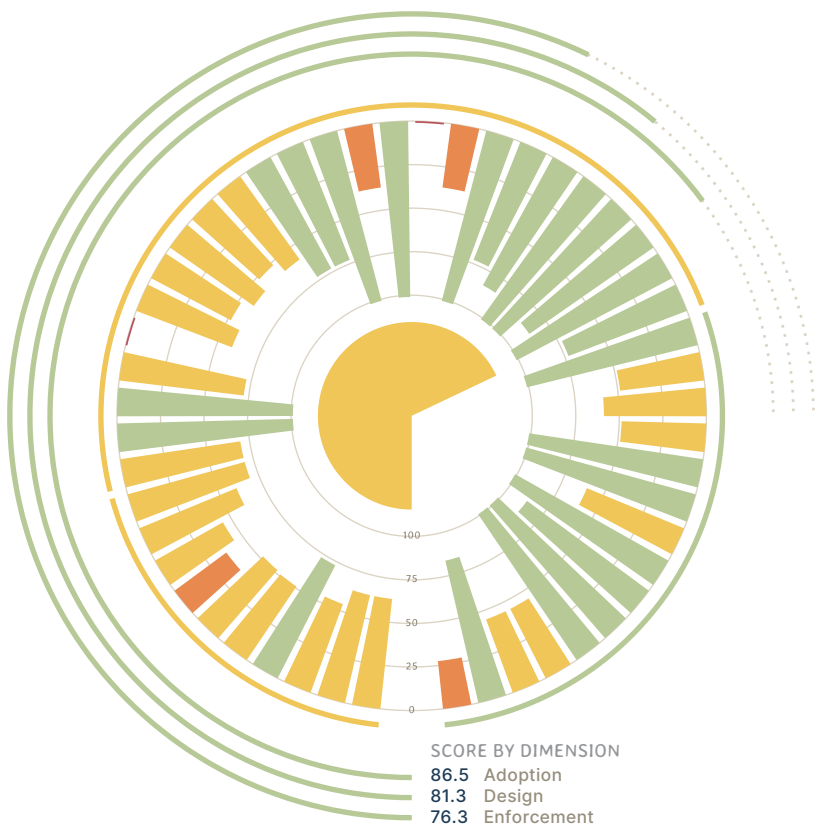
In progress



In progress



Implemented



Anti-corruption conventions timeline



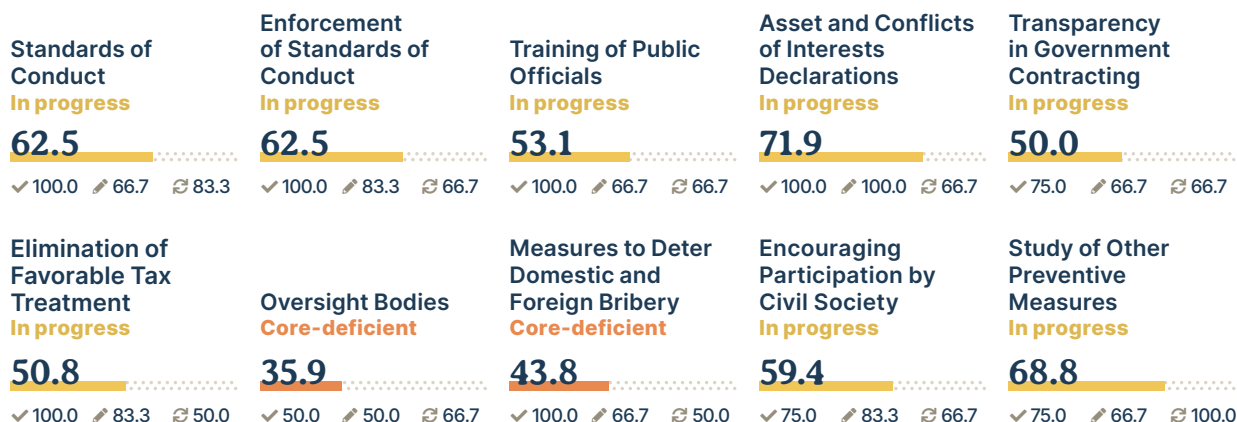
CONVENTIONS	KEY EVENTS
<ul style="list-style-type: none"> IACAC - Inter-American Convention Against Corruption UNCAC - United Nations Convention against Corruption OECD Anti-Bribery Convention 	<ul style="list-style-type: none"> Signed Ratified/acceded Review rounds

Prevention

In progress

55.9

✓ Adoption 87.5 ✎ Design 73.3 ⚙ Enforcement 68.3



Criminalization and law enforcement

In progress

69.7

✓ Adoption 85.0 ✎ Design 79.3 ⚙ Enforcement 78.7



International cooperation

Implemented

73.0

✓ Adoption 88.3 ✎ Design 90.0 ⚙ Enforcement 77.8

Assistance Without Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Inclusion in Extradition Treaties
In progress

47.7

✓ 75.0 ✎ 83.3 ⚙ 50.0

Convention as Legal Basis for Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Automatic Application Without Treaty
In progress

47.7

✓ 75.0 ✎ 83.3 ⚙ 50.0

Prosecution Without Extradition
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Assistance
In progress

59.4

✓ 75.0 ✎ 83.3 ⚙ 66.7

Impossibility of Claiming Bank Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of Information
Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Responsibilities of Central Authorities
Core-deficient

43.8

✓ 100.0 ✎ 100.0 ⚙ 33.3

Communication Between Central Authorities
Core-deficient

43.8

✓ 100.0 ✎ 100.0 ⚙ 33.3

Special Investigative Techniques
Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Technical Cooperation
Core-deficient

26.6

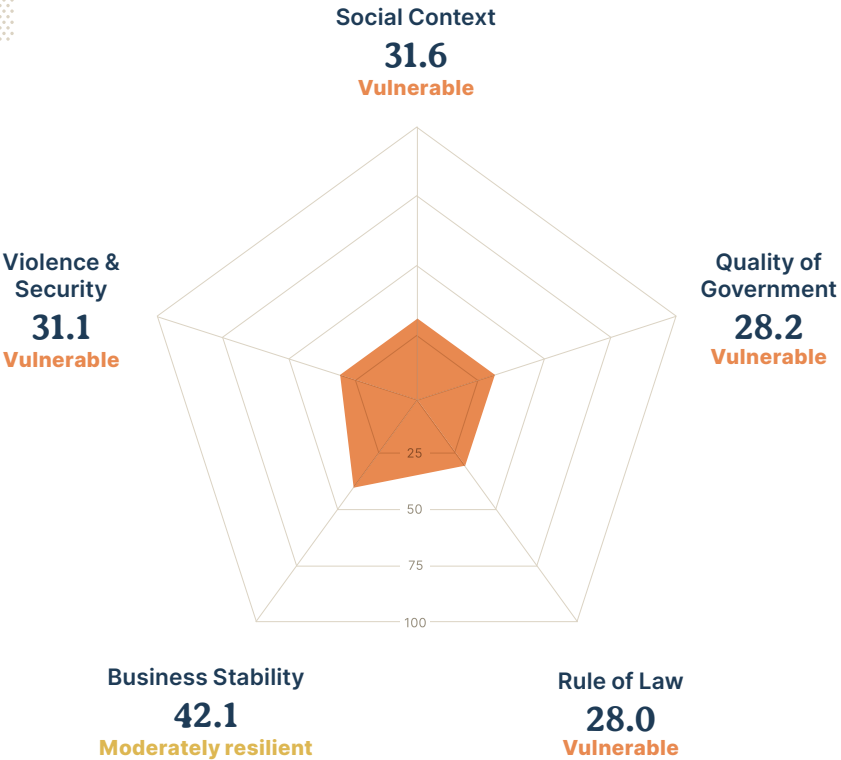
✓ 25.0 ✎ 33.3 ⚙ 83.3

Corruption Resilience

32.2

Vulnerable

30th of 31 western hemisphere
8th of 8 Central American countries



Analysis

Convention Implementation

Nicaragua signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on March 17, 1999. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on February 15, 2006. Accordingly, Nicaragua has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Nicaragua's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 67.9, the measures adopted place the country towards the upper middle point of compliance with international norms, surrounded by The Bahamas (67.1), Guatemala (67.2), Cuba (69.3), and Antigua and Barbuda (69.5). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the large majority of deficient or unimplemented measures also belong to those sections, while over three quarters of all preventive measures are found to be in progress. Furthermore, all but two measures below the "implemented" level receive a score of 50 or above—a degree of progress that reflects the overall state of the country's performance.

The prevention of corruption is undergoing, classified as "in progress" by its average score and with all but two measures found to be deficient—the state of oversight bodies (35.9) and the actions to deter domestic and foreign bribery related to accounting regulations (43.8). Concerning the former, the report of the fourth round of MESICIC finds that, among other problems, it is not possible to determine if "documented procedures, manuals, or guides exist [within the National Police] on the process of investigating acts of corruption and crimes against public administration." A similar objection is raised about the judiciary, compounded by the lack of evidence on the "existence of accountability mechanisms applicable to the performance of [its] functions". On the other hand, all other measures within this section receive a score of 50 or above, including transparency in government contracting (50.0), the training of public officials (53.1), standards of conduct (62.5) and their enforcement (62.5), and systems for registering asset and conflict of interests' declarations (71.9), among others. Nicaragua is not found to have successfully implemented any preventive measure.

In terms of criminalization and law enforcement, Nicaragua shows better results than those regarding prevention, although a few important deficiencies remain. The country has not criminalized the passive bribery of foreign officials (as required by UNCAC), and it shows a deficient performance in regard to the criminalization of the illicit acquisition of a benefit (i.e., influence trading) and bribery in the private sector (both receiving a score of 35.9). However, significant measures are found to be fully implemented, including those pertaining to embezzlement in the public and private sectors and the liability of legal persons (as required by UNCAC). Other measures considered to be in progress show positive results—the criminalization of active bribery of foreign officials, illicit enrichment, and obstruction of justice, all three of which receive a score of 71.9.

Finally, Nicaragua is found only partially compliant with its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism reports that "Nicaragua has established its jurisdiction over most of the circumstances referred to in article 42 of the Convention, although not when the alleged offender is present in its territory and Nicaragua does not extradite him or her." Furthermore, "[j]urisdiction over corruption offenses committed against one of its nationals has been established in relation to crimes committed against Nicaraguan officials" but not over crimes committed against nationals who are not officials. That being said, the country is found generally compliant with its commitments regarding international cooperation, with only one notable remaining deficiency in its efforts to foster and engage in technical cooperation (26.6).

Corruption Resilience

Nicaragua's social context indicator score declined by 0.7 points from the previous year, resulting in a score of 31.6 for 2020. The country's social context indicator is 33.3 points below the Western Hemisphere average of 64.9. Since 2010 the country's indicator score has varied, where the country achieved its highest score in 2014 with 62.5, and its lowest indicator score in 2020. The range between 2010 and 2020 is 23.4 points, where the country experienced a significant drop in its score at the beginning of the decade. Within Central America, Nicaragua's 2020 score is the lowest for the social context indicator. Across the Western Hemisphere countries, Nicaragua's social context score remains consistently low. The country's score is primarily attributed to the poor status of civil liberties and political rights, which were particularly weak

during the presidency of Daniel Ortega. Since 2007, the media's freedom has been severely restricted. Journalists are threatened with violence when they report on corruption and the worsening political crisis within the country. Following the re-election of President Ortega, Nicaragua's social context score declined by 9.3 points from 2016 to 2017. The following year, as the political crisis worsened and President Ortega's regime became increasingly dictatorial, the social context score continued to decrease substantially. By 2020, the country's score had fallen by 11.1 points from 2018.

With regard to the quality of governance and institutions, Nicaragua's indicator score decreased by 5.1 points from the previous year, resulting in a score of 28.2 for 2020. The country's indicator score falls substantially below the Western Hemisphere average of 50.6 and fails to meet the threshold by 22.4 points. Nicaragua's quality of government score for 2020 is ranked within the bottom percentile for Western Hemisphere countries. Since 2015, the score has continued to decline. As the political crisis worsened in 2018, the indicator score declined considerably, where 2020 is the lowest score that country has had throughout the decade. The country achieved its highest indicator score in 2011 with 52.3. Nicaragua's quality of government indicator score is mainly influenced by the political crisis and widespread corruption within the country.

Similarly, Nicaragua's rule of law indicator score declined by 1.3 points from the previous year, resulting in a score of 28.0 for 2020. The country's indicator is 23.1 points below the Western Hemisphere average of 51.1 for 2020. As with previous indicators, the rule

of law score has also steeply declined over the last decade. Nicaragua's rule of law score has remained consistently low since 2010, where the country's decade average range between scores of 28 and 36.8. The country's current indicator score is primarily influenced by the lack of judicial independence, which causes the courts to be more susceptible to politicization. Moreover, the rule of law within the country has been further weakened by the government's efforts to eliminate social protest against the country's regime.

In terms of the country's business stability, Nicaragua's indicator score declined by 1.4 points from the previous year, resulting in a score of 42.1 for 2020. The country's indicator is 8.4 points below the Western Hemisphere average of 50.5. Throughout the decade, the country's indicator score has varied and remained within the range of 42.1 and 46.7 in 2020 and 2017, respectively. As with previous indicators, Nicaragua was ranked among the lowest performing countries within the Western Hemisphere and Central America. The country's score is attributed to corruption and an inadequate regulatory system.

Nicaragua's violence and security indicator score has declined significantly—by 24.8 points from the previous year—resulting in a score of 31.1 for 2020. For 2020, the country's violence and security indicator failed to meet the threshold of the Western Hemisphere regional average (55.0) by 23.9 points. Although Nicaragua's score has varied throughout the decade, the country reached its lowest score in 2020. The indicator score is primarily influenced by the serious challenges the country faces with regard to organized crime and drug trafficking.

Transparency

MAIN REPORTING NGO

Grupo Civico Etica Y Transparencia

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Oct-2012	2011-2012	Executive Summary	Spanish

Did the government make public the contact details for the country focal point? **✗ No**

Was civil society consulted in preparation for the self-assessment? **✗ No**

Was civil society invited to provide information to the official reviewers? **✗ No**

Was the self-assessment published online or provided to CSOs? **✗ No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The civil society parallel report for Nicaragua was authored by the organization Civic Ethics and Transparency Group (Grupo Civico Etica Y Transparencia), a non-profit electoral observatory body, which based their findings on information recorded during the 2011-2012 period. The report assessed the country's compliance with implementing articles 15, 16, 17, 20, 23, 26, and 46 of chapters III and IV of UNCAC. The Law on Access to Public Information which was approved in 2007 enabled the creation of offices to access information in various state institutions. However, in practice, the law has done little to change the culture of secrecy throughout institutions at the national and local levels. To obtain information for the report, the authors sent requests to the Office of the Attorney General and to the Office of Public Ethics. As of the publication date of the report, neither letter had obtained a response.

In terms of the legal framework, Nicaragua largely complies with UNCAC mandates. However, this is due to the country's signature, ratification, and implementation of the Inter-American Convention against Corruption (IACAC) which enabled the country to create anti-corruption frameworks. To exceed the regulatory compliance threshold, Nicaragua would have to address the shortage of resources, in terms of labor and finances, that prevent the country from achieving effective results. The report concludes its assessment by highlighting areas for priority action and recommends the following: the continuation of implementing UNCAC mandates to ensure compliance; providing the necessary resources for public institutions to react to acts of corruption; creating a system to protect individuals who denounce acts of corruption; promoting the independence of political party interests of key institutions to promote an effective fight against corruption; and lastly, promoting actions to achieve reform of the immunity law which reduces the impact of anti-corruption legislation.

Panama

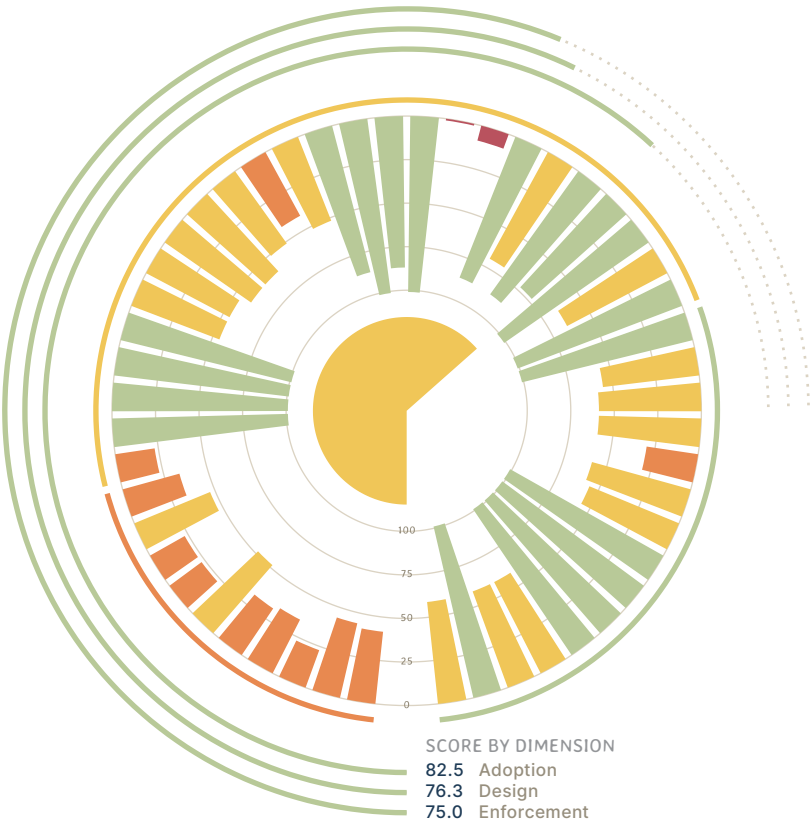
Western Hemisphere / Central America

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Panama City	74,177 km ²	4,314,768.00	\$52.94B USD	\$12,269.04 USD	Upper middle income

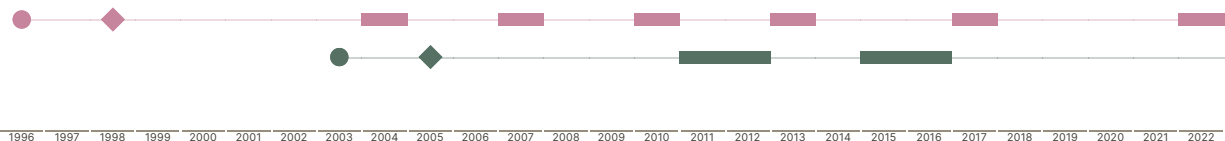
Convention Implementation



In progress
17th of 31 western hemisphere
6th of 8 Central American countries



Anti-corruption conventions timeline



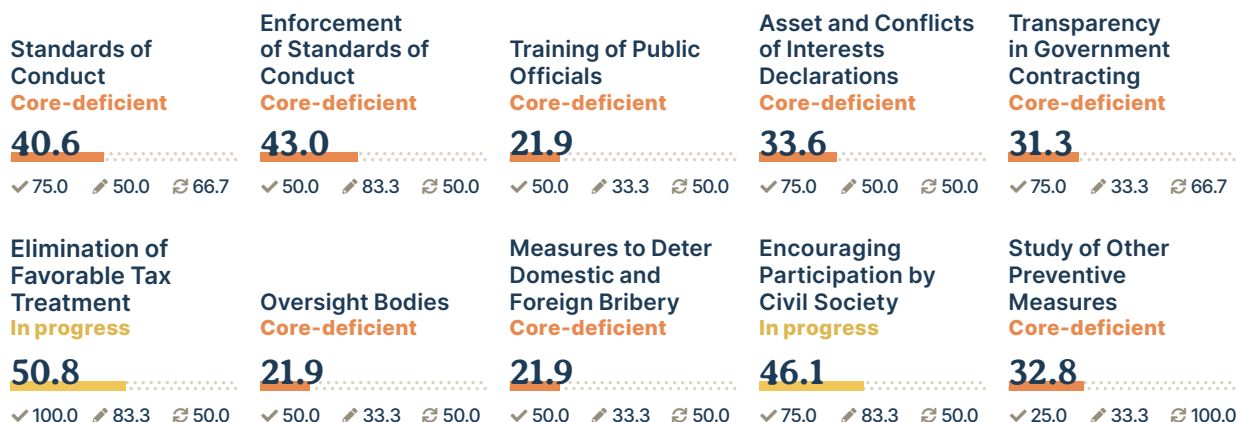
CONVENTIONS			KEY EVENTS		
■ IACAC - Inter-American Convention Against Corruption	■ UNCAC - United Nations Convention against Corruption	■ OECD Anti-Bribery Convention	○ Signed	◇ Ratified/ acceded	□ Review rounds

Prevention

Core-deficient

34.4

✓ Adoption 62.5 ✎ Design 51.7 ⚙ Enforcement 58.3

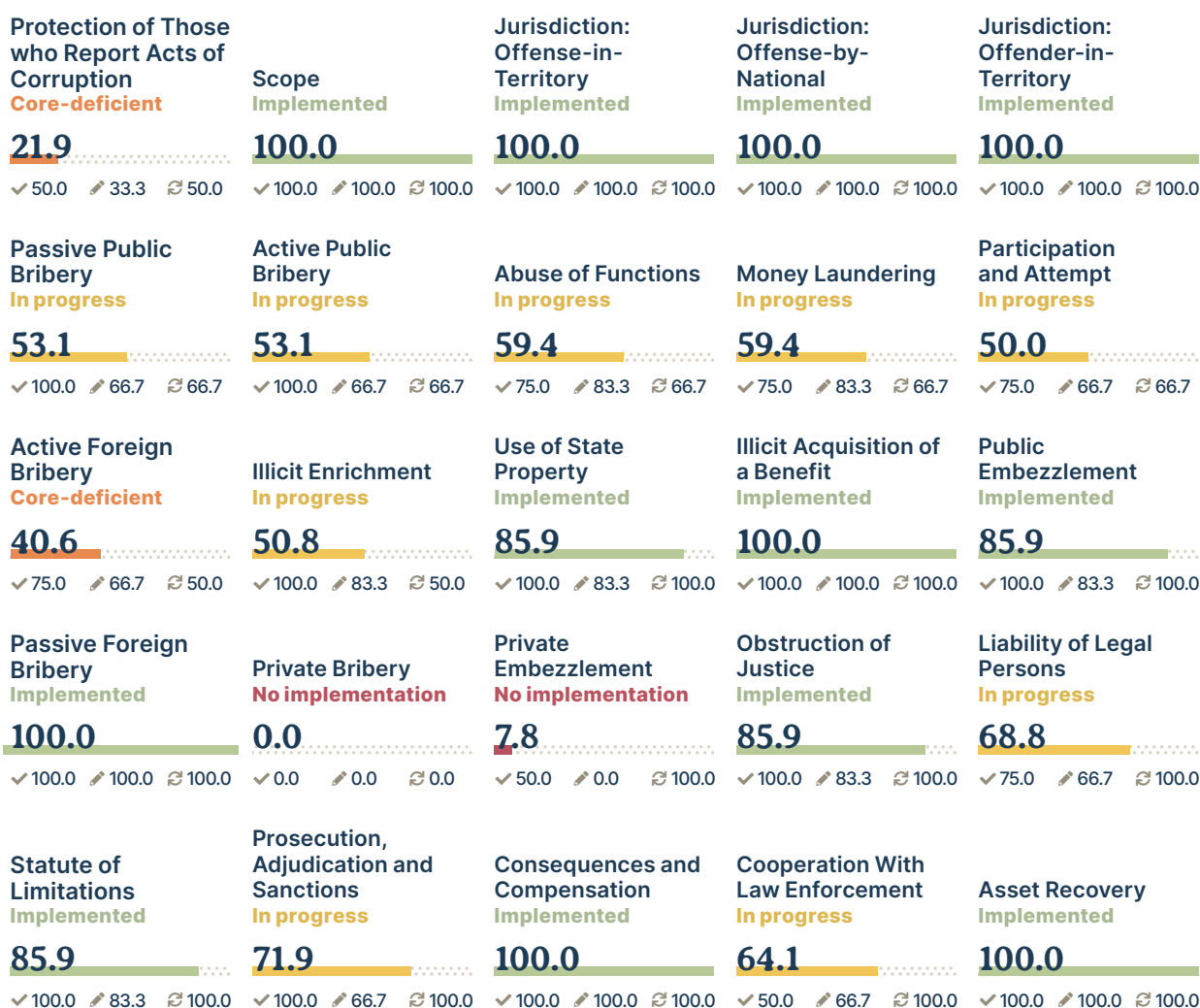


Criminalization and law enforcement

In progress

69.8

✓ Adoption 85.0 ✎ Design 75.3 ⚙ Enforcement 83.3



International cooperation

Implemented

72.3

✓ Adoption 91.7 ✎ Design 94.4 ⚙ Enforcement 72.2

Assistance Without Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Inclusion in Extradition Treaties
In progress

54.7

✓ 75.0 ✎ 100.0 ⚙ 50.0

Convention as Legal Basis for Extradition
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Automatic Application Without Treaty
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Prosecution Without Extradition
Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⚙ 50.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Assistance
In progress

54.7

✓ 50.0 ✎ 66.7 ⚙ 83.3

Impossibility of Claiming Bank Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Responsibilities of Central Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Communication Between Central Authorities
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Special Investigative Techniques
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Technical Cooperation
In progress

57.8

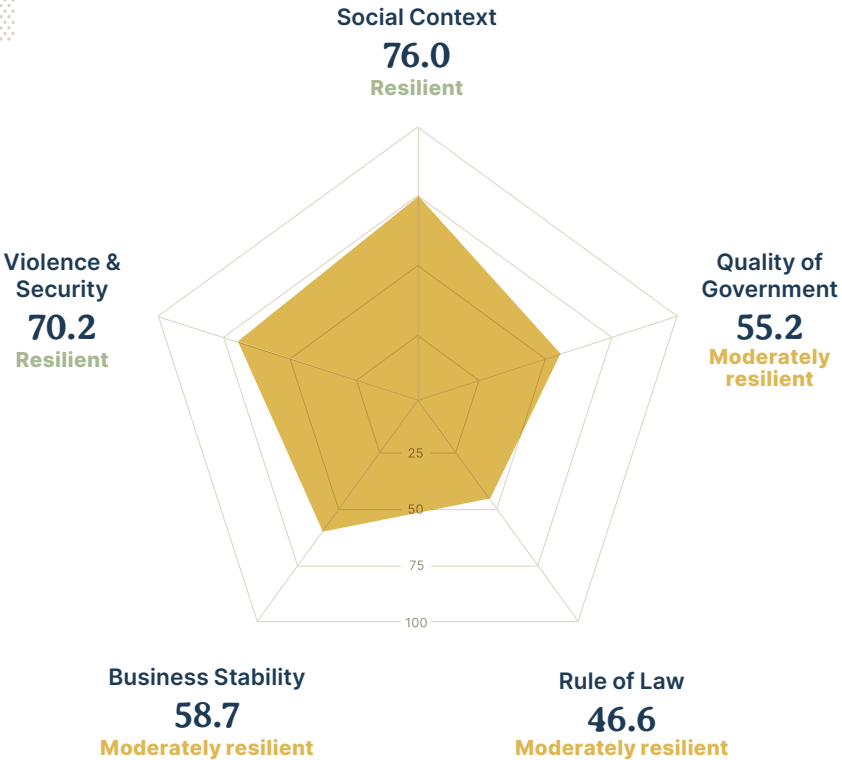
✓ 100.0 ✎ 100.0 ⚙ 50.0

Corruption Resilience

61.3

Moderately resilient

10th of 31 western hemisphere
2nd of 8 Central American countries



Analysis

Convention Implementation

Panama signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on July 20, 1998. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on September 23, 2005. Accordingly, Panama has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism (of which, for comparability purposes, only the first one was considered here).

Panama's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes but also a modicum of failures. With an overall score of 63.5, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Venezuela (61.0), Bolivia (62.7), Jamaica (65.1), Ecuador (65.1). However, progress in implementation is unequally distributed. Roughly two thirds of all failing measures concern the prevention of corruption, while the average section scores for criminalization and international cooperation double that of prevention.

The prevention of corruption is significantly deficient, classified as "core-deficient" and with all but two measures receiving a failing score, including the training of public officials (21.9), the state of oversight bodies (21.9), transparency in government contracting (31.3), the systems for registering asset and conflict of interests' declarations (33.6), and the standards of conduct (40.6) and their enforcement (43.0), among others. Concerning the state of oversight bodies, the report of the fourth round of MESICIC (adopted in 2013) finds that, among other problems, "barely 15 of the 2,725 officials in the Office of the Attorney General are career civil servants" and that "the total budget of the four Anti-Corruption Prosecutor's Offices in the past three years has amounted to less than 1% of the [Public Prosecution Service's] overall budget." Moreover, the reports find that "Panama's regulatory framework does not clearly establish a national internal audit system, nor does it determine that the [Office of the Comptroller General of the Republic] is the central organ or technical governing body for that system." The country only shows progress in regard to the initiatives to encourage the participation of civil society (46.1) and the elimination of favorable tax treatment for corrupt expenditure (50.8). Otherwise, no

preventive measure within this section is classified as either implemented or unimplemented.

In terms of criminalization and law enforcement, Panama shows strong results. The country is found to have successfully implemented roughly half of its commitments, criminalizing embezzlement in the public sector, the illicit acquisition of a benefit (i.e., influence trading), the obstruction of justice, and the passive bribery of foreign officials (as required by UNCAC), among other actions. However, key measures remain in progress, such as those pertaining to illicit enrichment (50.8), active and passive bribery in the public sector (53.1), the abuse of functions (59.4), and money laundering (59.4). Two measures are considered to be deficient (although to different degrees): the protection of those who report acts of corruption (i.e., whistleblower protection) (21.9) and the criminalization of active bribery of foreign officials (40.6).

Panama is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country is also generally compliant with its commitments regarding international cooperation, with an average section score of 72.3 denoting mild implementation and only one measure assessed to be deficient at core—the possibility of prosecuting corrupt offenses when an extradition request has been denied (28.9).

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to the lack of information. Panama is frequently cited during MESICIC rounds as providing insufficient statistical information to assess the level of implementation of legally adopted measures. While lack of monitoring and data collection mechanisms is not solely found in Panama, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Panama's social context indicator score for 2020 declined by 1.3 points from the previous year. Despite the decline in the country's indicator score from 2019, Panama's indicator score exceeds the Western Hemisphere average of 64.9 by 11.1 points. Panama's indicator has remained consistently high, only fluctuating within the 66.9 and 70.6 range. Within the Central America region, Panama has also

consistently scored better than its subregional counterparts. Panama's social context indicator score for 2020 is primarily attributed to the successful guarantees of, and respect for, civil liberties and political rights within the country. Nevertheless, concerns over media freedom within the country have emerged, particularly in regard to journalists who face court proceedings while reporting on corruption-related issues or criticizing government policies. For example, libel and defamation charges have been brought against journalists who have reported on stories that are not favorable by the government, resulting in self-censorship. The wife of the former president Martinelli has sued several media outlets to halt the investigation and report on the Odebrecht scandal.

With regard to the quality of governance and institutions, Panama's score declined in 2020 by 1.5 points from the previous year. Despite the decrease, the country's score remains slightly above the Western Hemisphere country average. Over the last ten years, the country's indicator score has consistently fallen. However, throughout the decade Panama has held an average score that ranged between 53.1 to 57.6, in 2014 to 2018, respectively. Panama's quality of government indicator score is primarily influenced by corruption, challenges with the constraints on the government's power, and impartial administration.

Panama's rule of law indicator for 2020 amounted to a score of 46.6, marking a decrease of 0.4 points from the previous year. Unlike the previous indicators, the rule of law indicator in Panama falls below

the Western Hemisphere countries average of 51.1 by 4.5 points. Throughout the decade, the country's indicator score has varied, where the country achieved its highest score in 2012 with 50.1, and its lowest score in 2015 with 46.1. The drop in the country's score took place around the same time the Odebrecht scandal had come to light. The country's rule of law indicator is large impacted by widespread corruption and inefficiencies with the judicial system.

The country's business stability indicator decreased in 2020 by 1.9 points from the previous year, amounting to a score of 58.7, which exceeds the Western Hemisphere average (50.5) by 8.2 points. Throughout the decade, the country's indicator score has varied, where it achieved its highest score in 2018 with 61.8 and its lowest score in 2013 with 54.8. Panama's 2020 business stability indicator is attributed to an adequate regulatory system which impacts private sector businesses.


In terms of violence and security, Panama's 2020 indicator score declined by 7.6 points from the previous year, resulting in a score of 70.2. Despite the decline in the country's indicator, Panama's score falls well above the Western Hemisphere average of 55.0 and exceeds the average by 15.2 points for 2020. Compared to its counterparts in the Western Hemisphere and particularly, the Central American region, Panama has been consistently a top performer for the violence and security indicator. Panama's indicator score is attributed to lower homicide rates and criminal activities than its counterparts in the region.


Transparency


MAIN REPORTING NGO

Fundación para el Desarrollo de la Libertad Ciudadana

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Dec-2012	2011-2012	Executive Summary	Spanish

Did the government make public the contact details for the country focal point?  **Yes**

Was civil society consulted in preparation for the self-assessment?  **No**

Was civil society invited to provide information to the official reviewers?  **Yes**

Was the self-assessment published online or provided to CSOs?  **No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

The civil society parallel review report for Panama was written by the Foundation for the Development of Citizen Freedom (la Fundación para el Desarrollo de la Libertad Ciudadana), a non-profit organization which based their findings on information reported during the 2011-2012 period. The report assessed Panama's compliance with articles 15, 16, 17, 23, 26, 32, 33, and 46 of chapters III and IV of UNCAC. In terms of the availability of information, the authors noted that the Attorney General's office was very open to providing statistical data on UNCAC-related crimes. However, these statistics were not readily available or accessible online. Due to existing policies, only the parties to proceedings may access information about their cases during investigations. In terms of Panama's legal framework, the country enacted a new penal code in 2007 which contains regulations that are consistent with UNCAC. Moreover, the country has codified all conduct considered corrupt into its legislation.

However, the country faces obstacles in its implementation and enforcement—namely in obtaining evidence, inter-institutional cooperation and coordination, and in the protection of whistleblowers and witnesses. While these issues have been integrated into the state's legislation, the programs require sufficient budgets to facilitate their implementation. The report concludes its assessment by highlighting areas for priority action, namely the approval of electoral reforms, the reinforcement of compliance with Article 20 (illicit enrichment), the development of penalties for legal persons who benefit from crimes of corruption, and the establishment of necessary protections for whistleblowers and witnesses in corruption cases.

Paraguay

Western Hemisphere / South America

CAPITAL	TERRITORY	POPULATION (2020)	GDP TOTAL (2020)	GDP PER CAPITA (2020)	INCOME GROUP
Asunción	397,300 km²	7,132,530.00	\$35.3B USD	\$4,949.74 USD	Upper middle income

Convention Implementation

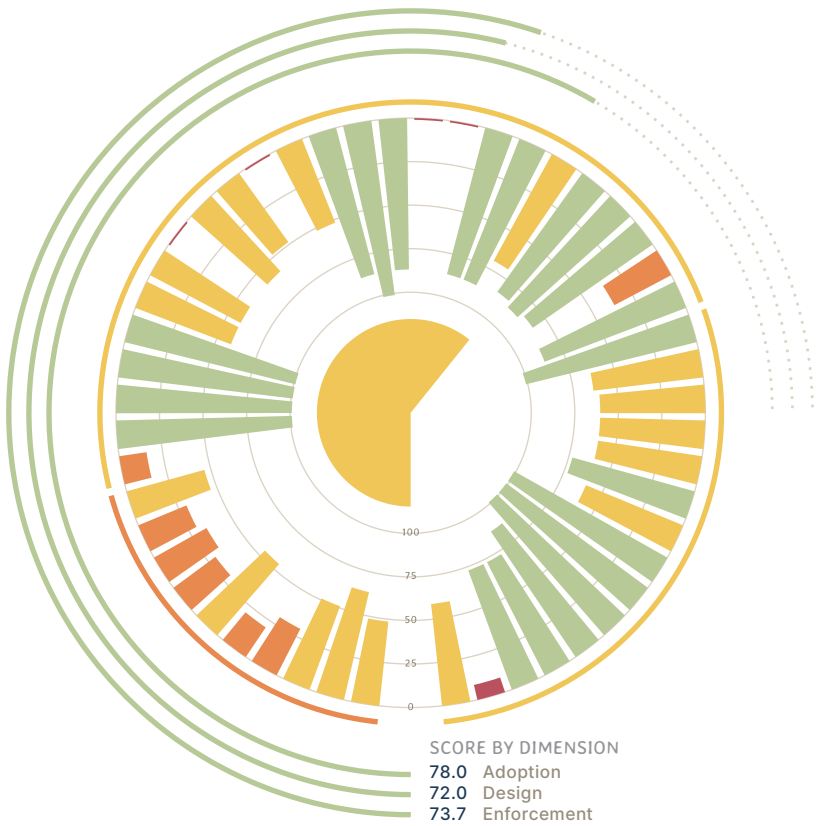
60.8

In progress
 20th of 31 western hemisphere
 10th of 12 South American countries

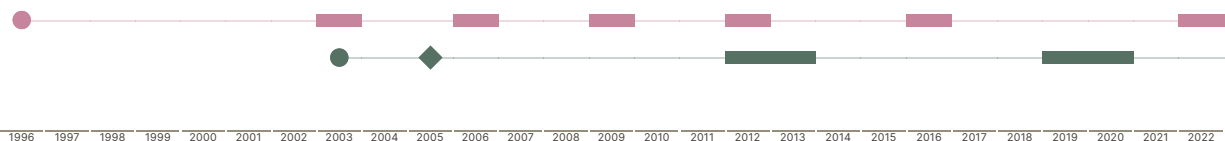
Prevention
39.8
Core-deficient

Criminalization and law enforcement
62.9
In progress

International cooperation
71.2
In progress



Anti-corruption conventions timeline



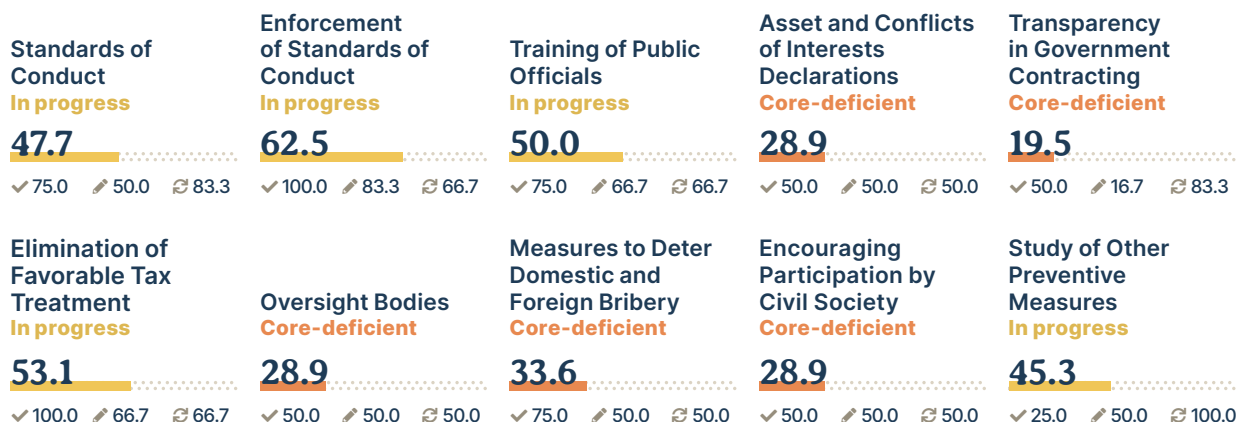
CONVENTIONS	KEY EVENTS
<ul style="list-style-type: none"> IACAC - Inter-American Convention Against Corruption UNCAC - United Nations Convention against Corruption OECD Anti-Bribery Convention 	<ul style="list-style-type: none"> Signed Ratified/acceded Review rounds

Prevention

Core-deficient

39.8

✓ Adoption 65.0 ✎ Design 53.3 ⚙ Enforcement 66.7



Criminalization and law enforcement

In progress

62.9

✓ Adoption 76.0 ✎ Design 70.7 ⚙ Enforcement 73.3



International cooperation

In progress

71.2

✓ Adoption 90.0 ✎ Design 86.7 ⚙ Enforcement 78.9

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Inclusion in
Extradition Treaties
In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Convention as Legal
Basis for Extradition
In progress

59.4

✓ 75.0 ✎ 83.3 ⚙ 66.7

Automatic
Application Without
Treaty
In progress

59.4

✓ 75.0 ✎ 83.3 ⚙ 66.7

Prosecution Without
Extradition
In progress

59.4

✓ 75.0 ✎ 83.3 ⚙ 66.7

Custody
In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Assistance
In progress

59.4

✓ 75.0 ✎ 83.3 ⚙ 66.7

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central
Authorities
Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Responsibilities of
Central Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Communication
Between Central
Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Special Investigative
Techniques
No implementation

7.8

✓ 50.0 ✎ 0.0 ⚙ 100.0

Technical
Cooperation
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

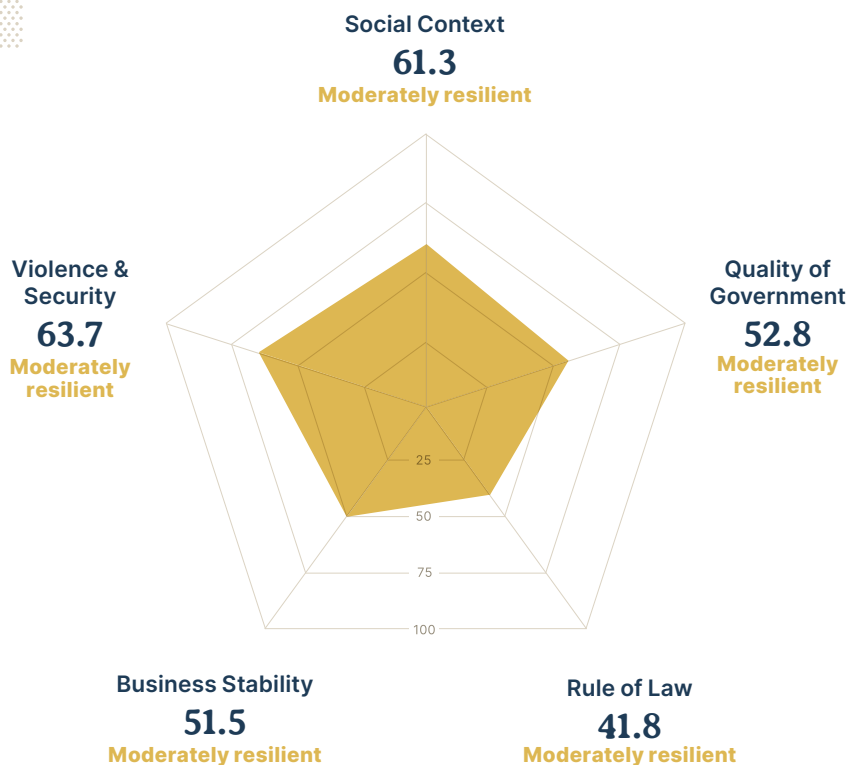
Corruption Resilience

54.2

Moderately resilient

17th of 31 western hemisphere

6th of 12 South American countries



Analysis

Convention Implementation

Paraguay signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on November 29, 1996. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2003, and subsequently ratified it on June 1, 2005. Accordingly, Paraguay has undergone six rounds of review under MESICIC (of which only the first five were considered here, as the final report for the sixth round was only adopted on March 11, 2021), and one round of review under the UNCAC review mechanism.

Paraguay's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes but also a modicum of failures. With an overall score of 60.8, the measures adopted place the country at the lower middle point of compliance with international norms, surrounded by Belize (58.1), Haiti (58.2), Venezuela (61.0), and Bolivia (62.7). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) half of all preventive measures are found to be in progress while half of all failing measures concern criminalization and law enforcement (including all the ones classified as unimplemented). Consequently, Paraguay's efforts may be described as somewhat lacking across the range of measures related to prevention and criminalization, and only showing consistently positive results in the area of international cooperation.

The prevention of corruption is deficient but not completely lacking, classified as "core-deficient" by its average score and with half of its measures found deficient—transparency in government contracting (19.5), the systems for registering asset and conflict of interests declarations (28.9), the state of oversight bodies (28.9), initiatives to encourage the participation of civil society (28.9), and the actions to deter domestic and foreign bribery related to accounting regulations (33.6). Concerning government contracting, MESICIC identifies in its second round of review a number of issues which remained largely unaddressed by the time of its fourth round; among them, the report highlights the "the existence of two laws governing the civil service" and quotes the "chaotic situations where public servants are governed by one law or the other, depending on whether or not they brought an unconstitutionality action". Regarding control mechanisms, the report also notes "an absence of provisions establishing sanctions for government servants and

employees who fail to fulfill or infringe the provisions that govern the Government Procurement System." All other measures within this section remain in progress, including significant ones such as the adoption of standards of conduct (47.7) and their enforcement (62.5), and the training of public officials (50.0), among others. Otherwise, no preventive measure within this section is classified as either implemented or unimplemented.

In terms of criminalization and law enforcement, Paraguay shows better results than those regarding prevention, although significant deficiencies remain. The country has not adopted sufficient protection for those who report acts of corruption (i.e., whistleblower protection) (14.8) or sufficiently fostered the use of legal mechanisms to facilitate cooperation with law enforcement (e.g., plea bargain) (35.9). Moreover, significant measures remain fully unimplemented: the criminalization of abuse of functions, active and passive bribery of foreign officials, and bribery in the private sector. Other measures remain in progress. Despite these problems, over half of all the measures in this section are found to comply with Paraguay's international commitments, resulting in an average section score of 62.9 ("in progress").

Paraguay is found fully compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. The country also shows significant progress in its commitments regarding international cooperation, with an average section score of 71.1 and only one failing measure identified—the regulation and application of special investigative techniques such as electronic surveillance, undercover operations, and others (7.8).

Corruption Resilience

Paraguay's social context indicator for 2020 declined by 1.4 points from the previous year, resulting in a score of 61.3, which exceeds the Western Hemisphere average (64.9) by 3.6 points. Throughout the decade, Paraguay's indicator score has varied, achieving its highest indicator score in 2019 with 62.7, and its lowest indicator score in 2012 with 59.3. Paraguay's social context indicator score for 2020 is mainly attributed to a consistent but partial respect for political rights and civil liberties. The country's constitution guarantees freedom of speech; however, media outlets have faced challenges when investigating and reporting corruption, crime, or government criticisms. They have also

encountered intimidation, harassment, and aggression from both public officials and criminal organizations. The country's protections for civil liberties also fall short of safeguarding Paraguay's indigenous population, which continues to face systemic discrimination.

With respect to the quality of governance and institutions, Paraguay's 2020 score declined by 1.3 points from the previous year. Despite the decline, Paraguay's indicator score is slightly above the Western Hemisphere country average of 50.6 by 2.2 points. Paraguay's indicator score has varied throughout the decade, where the decade range is 51.5 to 55.7, 2014 to 2017, respectively. The country's quality of government indicator is primarily attributed to widespread corruption, inefficiencies in government and administration, and poor constraints on government powers.

In 2020, Paraguay's rule of law indicator declined by 1.4 points from the previous year. The country's indicator score is below the Western Hemisphere country average of 51.1 by 9.3 points. Throughout the decade, the country's score has varied, where Paraguay attained the highest indicator score in 2019 with 43.2 and its lowest indicator score in 2010 with 39.2. The country's rule of law indicator for 2020 is mainly impacted by an uneven application of the law and lack of judicial independence. On paper, the judiciary is independent, but in practice, the judiciary is

highly susceptible to political pressure and organized crime, particularly those involved in drug trafficking and money laundering.

In terms of the country's business stability indicator, Paraguay's score decreased by 1 point from the previous year. Despite the decline in the country's indicator score, Paraguay exceeds the Western Hemisphere country average of 50.5 by 1 point. Throughout the decade, the country's indicator score has been wide-ranging, where it attained the highest indicator score in 2019 with 52.5 and the lowest indicator score in 2010 with 48.7. Paraguay's indicator score is largely attributed to corruption and issues associated with business freedom; however, the country does have an adequate regulatory system concerning their domestic private sector.

With regard to the country's violence and security indicator, Paraguay's 2020 score increased by 3.2 points from the previous year, resulting in a score of 63.7. The country's indicator score exceeds the Western Hemisphere average of 55.0 by 8.7 points for 2020. Since 2010, the country's score has experienced improvements, where the country had attained its highest indicator score in 2020 and its lowest score in 2011, with a range of 21.4. Paraguay's violence and security indicator score is primarily attributed to the serious problem of organized crime and criminal activities within the country, particularly in relation to drug trafficking.

Peru

Western Hemisphere / **South America**

CAPITAL
Lima

TERRITORY
1,280,000 km²

POPULATION (2020)
32,971,846.00

GDP TOTAL (2020)
\$202B USD

GDP PER CAPITA (2020)
\$6,126.87 USD

INCOME GROUP
Upper middle income

Convention Implementation

72.3

Implemented

4th of 31 western hemisphere
3rd of 12 South American countries

Prevention

53.7

In progress

Criminalization and law enforcement

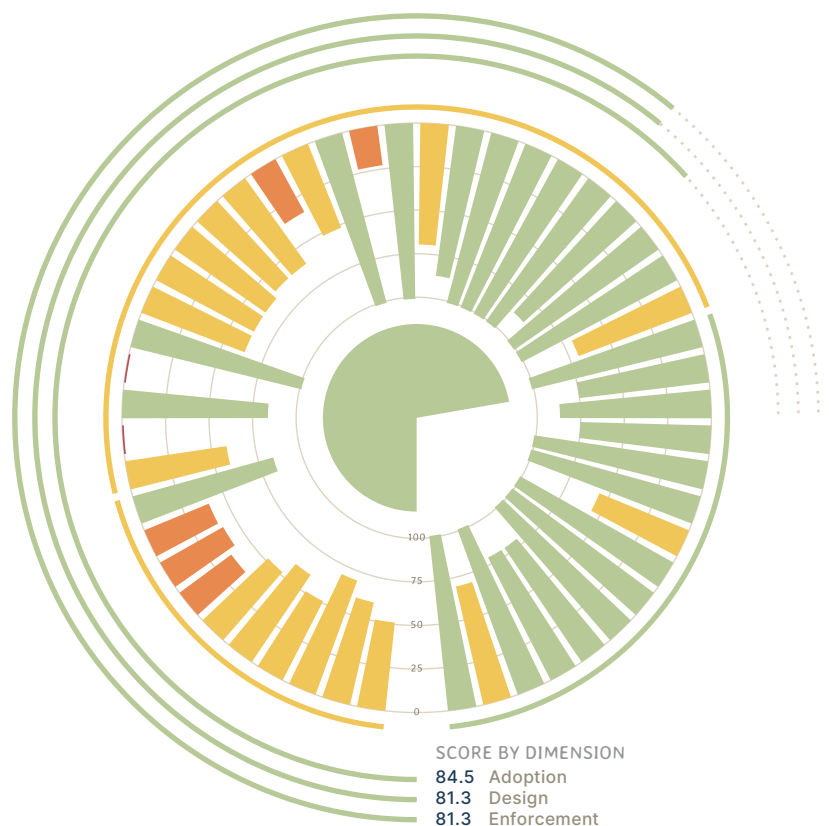
70.5

In progress

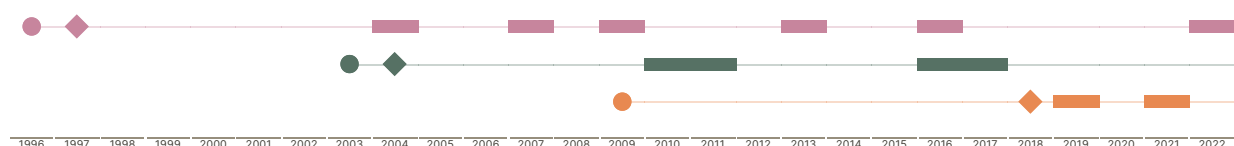
International cooperation

87.6

Implemented



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

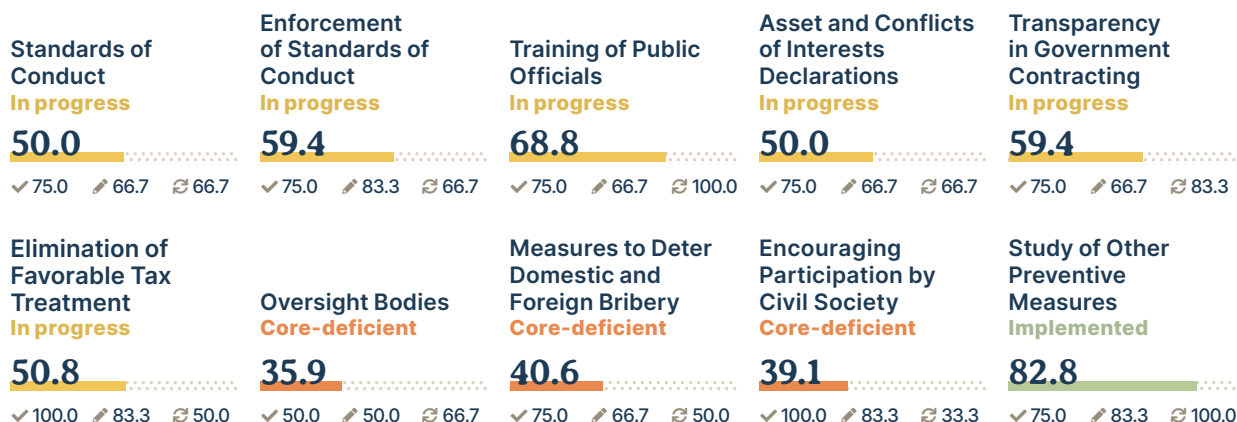
MEASURES BY THEMATIC SECTION

Prevention

In progress

53.7

✓ Adoption 77.5 ✎ Design 71.7 ⚙ Enforcement 68.3



Criminalization and law enforcement

In progress

70.5

✓ Adoption 84.0 ✎ Design 78.0 ⚙ Enforcement 79.3



International cooperation

Implemented

87.6

✓ Adoption 90.0

✎ Design 93.3

⌚ Enforcement 93.3

Assistance Without
Criminalization
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in
Extradition Treaties
Implemented

74.2

✓ 100.0 ✎ 83.3 ⌚ 83.3

Convention as Legal
Basis for Extradition
Implemented

85.9

✓ 100.0 ✎ 100.0 ⌚ 83.3

Automatic
Application Without
Treaty
Implemented

74.2

✓ 100.0 ✎ 83.3 ⌚ 83.3

Prosecution Without
Extradition
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Custody
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Assistance
In progress

54.7

✓ 75.0 ✎ 100.0 ⌚ 50.0

Impossibility of
Claiming Bank
Secrecy
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central
Authorities
Implemented

78.1

✓ 50.0 ✎ 83.3 ⌚ 100.0

Responsibilities of
Central Authorities
Implemented

78.1

✓ 50.0 ✎ 83.3 ⌚ 100.0

Communication
Between Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Special Investigative
Techniques
In progress

68.8

✓ 75.0 ✎ 66.7 ⌚ 100.0

Technical
Cooperation
Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

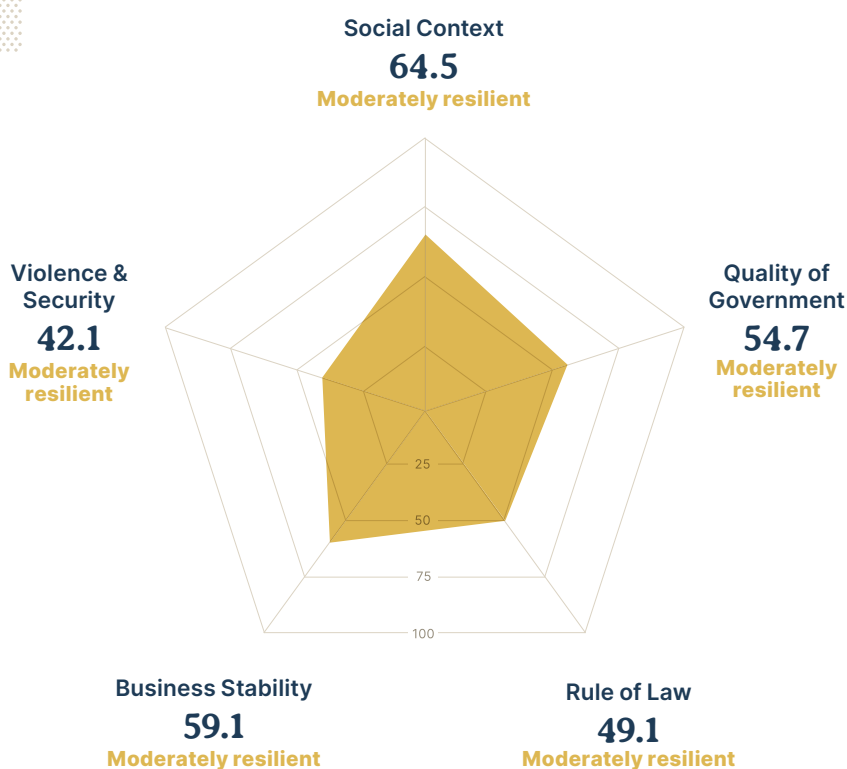
Corruption Resilience

53.9

Moderately resilient

18th of 31 western hemisphere

7th of 12 South American countries



Analysis

Convention Implementation

Peru signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on April 4, 1997. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on November 16, 2004. Peru is also party to the OECD Anti-Bribery Convention (OECD-ABC), having deposited the instrument of accession on May 28, 2018. Accordingly, Peru has undergone six rounds of review under MESICIC (of which only the first five were considered here, as the final report for the sixth round was only adopted on March 11, 2021), one round of review under the UNCAC review mechanism, and two phases of evaluation by the OECD Working Group on Bribery.

Peru's record in implementing its commitments to IACAC, UNCAC and OECD-ABC exhibits a large number of successes and very few failures. With an overall score of 72.3, the measures adopted place the country at the higher point of compliance with international norms, surrounded by Brazil (69.8), Chile (70.5), Colombia (74.2), and Argentina (75.2). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the majority of preventive measures are found to be in progress or implemented, while roughly an equal number of failed measures pertain rather to criminalization and law enforcement. Although these results point to a reasonable degree of progress in all three sections, a stronger emphasis on international cooperation over prevention is nonetheless identified.

The prevention of corruption is undergoing, classified as "in progress" by its average score and with prominent measures given a score of 50 or above—standards of conduct and their enforcement, the training of public officials, the systems for registering asset and conflict of interests' declarations, transparency in government contracting, and the elimination of favorable tax treatment for corrupt expenditure. Indeed, over half of all preventive measures are considered to be in progress, and the country has successfully implemented preventive measures related to equitable compensation. Within this section, only three measures are found deficient at core: the state of oversight bodies (35.9), the initiatives to encourage the participation of civil society (39.1), and the actions to deter domestic and foreign bribery related to accounting regulations (40.6). However, these measures represent almost half of all failing scores

given to Peru's implementation of international commitments, again reflecting the comparatively lower degree of progress made concerning the prevention of corruption.

In terms of criminalization and law enforcement, Peru shows strong results. The country is found to have successfully implemented roughly half of its commitments, including significant ones such as the criminalization of embezzlement in the public and private sectors, bribery in the private sector, and the obstruction of justice, as well as adopted and enforced the liability of legal persons, a long statute of limitations, and broader consequences—such as the rescinding of contracts and obtaining compensation—for the commitment of corrupt offenses (as required by UNCAC), among others. On the other hand, two important measures are found deficient at core: the criminalization of the illicit acquisition of a benefit (i.e., influence trading) (21.9) and active bribery of foreign officials (33.6). Concerning the former, the UNCAC review mechanism reports that "[t]he Peruvian Criminal Code does not cover active trading in influence. Passive trading in influence is regulated under article 400 of the Code, although the term 'directly or indirectly' is not explicitly used. Moreover, the provision applies only where a public official has been trying, is trying or is about to try a specific 'legal or administrative case', whereas the Convention does not contain such a restriction."

Finally, Peru is found only partially compliant with its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism finds that "[t]he principle of active or passive personality is not explicitly regulated, except in the case of offenses committed by public officials or public servants in the course of their duties. There is no jurisdiction regulating acts preparatory to money-laundering or offenses committed against the State." That being said, the overall level of the country's commitments regarding international cooperation shows a very positive result, with an average section score of 87.6 and all but two measures classified as "implemented".

Corruption Resilience

Peru's social context indicator declined in 2020 by 0.7 points from 2019, resulting in a score of 64.5, which fell 0.4 points below the average for the region. Between 2010 and 2020, Peru's score varied between +/- 2 points, and in 2014, Peru achieved their highest social context score of 67.9. Although the country's score fares relatively well compared to its regional counterparts, the media does face some

challenges when it investigates government corruption and connections with drug trafficking networks.

With regard to the quality of governance and institutions, the country's indicator fell by 0.6 points from the previous year; however, Peru's score remained 2.3 points above the regional average. In 2020, Peru's quality of government indicator fell within the 50th percentile of the score distribution. Following the first two decades of Peru's democratic transition in 1980, the country's democracy was fragile. Since then, Peru has continued their progress—particularly excelling in areas of policy formulation and implementation—and the government remains committed to maintain it.

In 2020, Peru had a marginal decrease in the rule of law by 0.3 points, which is 2 points lower than the average of 51.1 for the Western Hemisphere. Peru's rule of law indicator in 2020 fell within the 50th percentile of the distribution for the region. Over the decade, the country's rule of law has varied but always remained below the regional average. For example, Peru's average rule of law score from 2010 to 2020 is 48.7, whereas the decade score for its

counterparts in the region is 50.6. Peru's rule of law score remains at a low level because the judiciary is perceived to be very corrupt, where judges accept bribes and irregular payments in return for more favorable decisions. Additionally, there is widespread political interference within the judicial system and the courts remain susceptible to influence.


Peru's business stability indicator score declined by 1.8 points from the preceding year, resulting in a score of 59.1 for 2020. Between 2010 and 2020, Peru's score hardly fluctuated, consistently remaining within a range of 5.2 points. Despite exceeding the Western Hemisphere average by 8.6 points in 2020, Peru's business environment is impacted by corruption and facilitation payments. The country faces challenges within the business regulatory environment and lacks transparency in government policy related to business. Peru's 2020 violence and security indicator reflected a score of 42.1, which decreased from the preceding year by 12.9 points. Peru's violence and security indicators are within the lower percentile for the region.


Transparency


MAIN REPORTING NGO

Proética

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Oct-2021	2010-2011	Executive Summary	English

Did the government make public the contact details for the country focal point?  **Yes**

Was civil society consulted in preparation for the self-assessment?  **No**

Was civil society invited to provide information to the official reviewers?  **No**

Was the self-assessment published online or provided to CSOs?  **No**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

Peru's civil society parallel review report was authored by the organization Proética—the Peruvian chapter of Transparency International—during the 2010-2011 period. The report assessed Peru's compliance with articles 15, 16, 17, 23, 26, 32, 33, and 46 of chapters III and IV of the UNCAC. In terms of the availability of information, the report notes that there is a lack of information on the implementation and enforcement of UNCAC obligations that is publicly accessible. Statistics from the judiciary, office of the Attorney General, or Ministry of Justice, among other public institutions, were unavailable. In regard to the legal framework, Peru largely complies with the UNCAC articles reviewed for this report. Important steps have been taken in the fight against corruption, including the enactment of a new criminal procedure code and the adoption of laws on money laundering.

The real problems lie on the enforcement side, as the Peruvian state has been unable to successfully develop the capacities of law enforcement authorities. Generally, there is a lack of independent authorities (in terms of prosecuting authorities and the judiciary) with sufficient resources to carry out investigations. The newly established National Anticorruption Office was closed in less than a year of carrying out operations and presents one of many examples where there is a lack of guidance on behalf of the government. Additionally, delays in

processing corruption cases and imposing sanctions have created a sense of impunity. The report culminates in a series of recommendations, namely providing training on anti-corruption implementation, hiring additional staff to lessen corruption caseloads, increasing budgets for anticorruption initiatives, and lastly, implementing a system to maintain records on corruption cases.

Saint Lucia

Western Hemisphere / Caribbean

CAPITAL Castries	TERRITORY 610 km ²	POPULATION (2020) 183,629.00	GDP TOTAL (2020) \$1.703B USD	GDP PER CAPITA (2020) \$9,276.11 USD	INCOME GROUP Upper middle income
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Convention Implementation

30.9

Core-deficient

31st of 31 western hemisphere
11th of 11 Caribbean countries

Prevention

26.6

Core-deficient

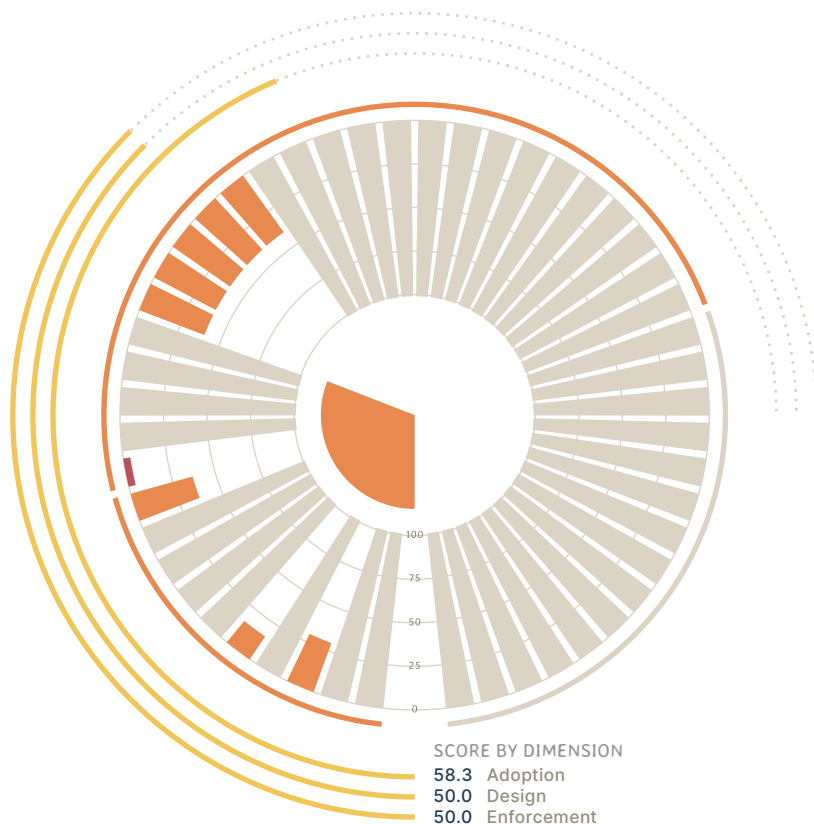
Criminalization and law enforcement

33.1

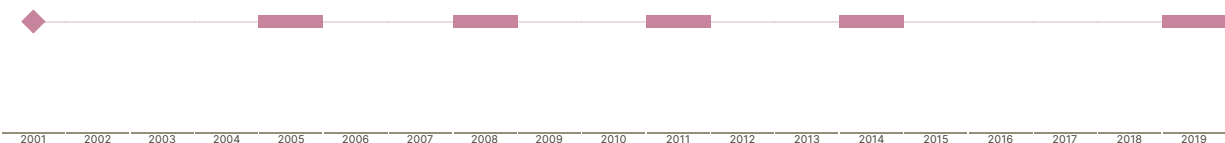
Core-deficient

International cooperation

Not applicable



Anti-corruption conventions timeline



CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

KEY EVENTS

- Signed
- Ratified/acceded
- Review rounds

MEASURES BY THEMATIC SECTION

Prevention

Core-deficient

26.6

✓ Adoption 50.0 ✎ Design 33.3 ⚙ Enforcement 66.7

Standards of Conduct	Enforcement of Standards of Conduct	Training of Public Officials Core-deficient	Asset and Conflicts of Interests Declarations	Transparency in Government Contracting Core-deficient
Not applicable...	Not applicable...	28.9	Not applicable...	14.8
✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ 50.0 ✎ 50.0 ⚙ 50.0	✓ N/A ✎ N/A ⚙ N/A	✓ 50.0 ✎ 16.7 ⚙ 50.0
Elimination of Favorable Tax Treatment	Oversight Bodies	Measures to Deter Domestic and Foreign Bribery	Encouraging Participation by Civil Society	Study of Other Preventive Measures Core-deficient
Not applicable...	Not applicable...	Not applicable...	Not applicable...	35.9
✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ 50.0 ✎ 33.3 ⚙ 100.0

Criminalization and law enforcement

Core-deficient

33.1

✓ Adoption 62.5 ✎ Design 58.3 ⚙ Enforcement 41.7

Protection of Those who Report Acts of Corruption No implementation	Scope	Jurisdiction: Offense-in-Territory	Jurisdiction: Offense-by-National	Jurisdiction: Offender-in-Territory
3.1	Not applicable...	Not applicable...	Not applicable...	Not applicable...
✓ 0.0 ✎ 16.7 ⚙ 0.0	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A
Passive Public Bribery Core-deficient	Active Public Bribery Core-deficient	Abuse of Functions Core-deficient	Money Laundering Core-deficient	Participation and Attempt Core-deficient
39.1	39.1	39.1	39.1	39.1
✓ 75.0 ✎ 66.7 ⚙ 50.0	✓ 75.0 ✎ 66.7 ⚙ 50.0	✓ 75.0 ✎ 66.7 ⚙ 50.0	✓ 75.0 ✎ 66.7 ⚙ 50.0	✓ 75.0 ✎ 66.7 ⚙ 50.0
Active Foreign Bribery	Illicit Enrichment	Use of State Property	Illicit Acquisition of a Benefit	Public Embezzlement
Not applicable...	Not applicable...	Not applicable...	Not applicable...	Not applicable...
✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A
Passive Foreign Bribery	Private Bribery	Private Embezzlement	Obstruction of Justice	Liability of Legal Persons
Not applicable...	Not applicable...	Not applicable...	Not applicable...	Not applicable...
✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A
Statute of Limitations	Prosecution, Adjudication and Sanctions	Consequences and Compensation	Cooperation With Law Enforcement	Asset Recovery
Not applicable...	Not applicable...	Not applicable...	Not applicable...	Not applicable...
✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A	✓ N/A ✎ N/A ⚙ N/A

International cooperation

Not applicable

✓ Adoption N/A ✎ Design N/A ⌘ Enforcement N/A

Assistance Without Criminalization	Inclusion in Extradition Treaties	Convention as Legal Basis for Extradition	Automatic Application Without Treaty	Prosecution Without Extradition
Not applicable...	Not applicable...	Not applicable...	Not applicable...	Not applicable...
✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A
Custody	Assistance	Impossibility of Claiming Bank Secrecy	Limited Use of Information	Nature of Act
Not applicable...	Not applicable...	Not applicable...	Not applicable...	Not applicable...
✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A
Designate Central Authorities	Responsibilities of Central Authorities	Communication Between Central Authorities	Special Investigative Techniques	Technical Cooperation
Not applicable...	Not applicable...	Not applicable...	Not applicable...	Not applicable...
✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A	✓ N/A ✎ N/A ⌘ N/A

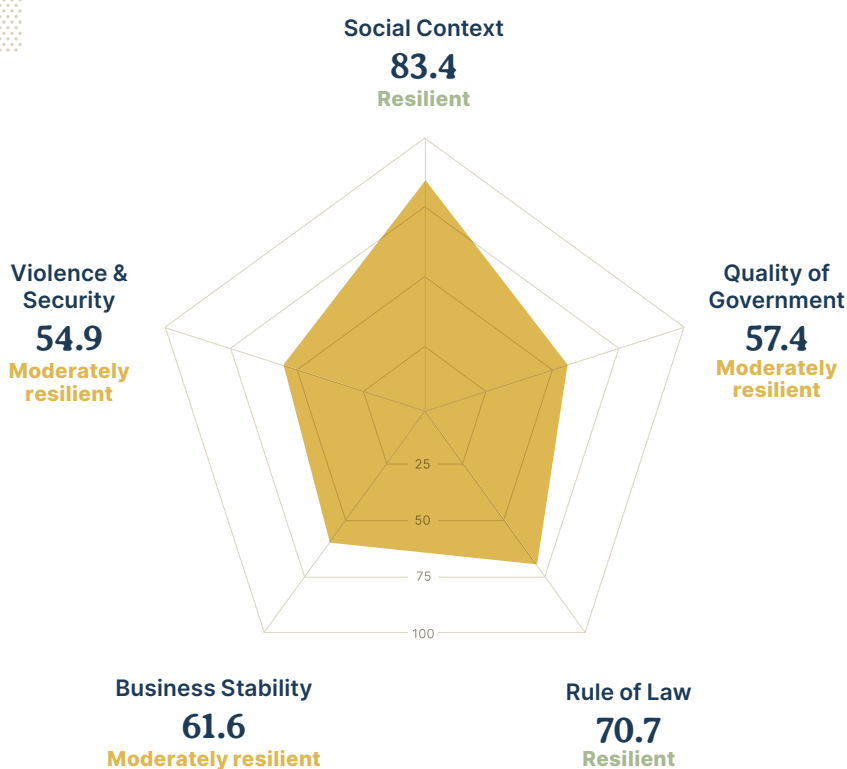
Corruption Resilience

65.6

Moderately resilient

6th of 31 western hemisphere

3rd of 11 Caribbean countries



Analysis

Convention Implementation

Saint Lucia ratified the Inter-American Convention Against Corruption (IACAC) on January 23, 2003. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since April 4th, 2018. Accordingly, Saint Lucia has undergone one round of review under MESICIC, covering the provisions selected for review within the framework of the second and fifth rounds. The country also acceded to the United Nations Convention Against Corruption (UNCAC) on November 25, 2011; however, there is no available information concerning the country's participation in its review mechanism. Saint Lucia's record in implementing its commitments to IACAC exhibits only failures.

With an overall score of 30.9, the measures adopted place the country at the lowest level of compliance with international norms, behind Suriname (31.7), Dominica (38.4), and Saint Vincent and the Grenadines (46.7). While implementation efforts may be said to be well distributed among the available sections—preventive and criminalization—the few preventive measures reviewed, the lack of measures concerning international cooperation, and the lack of progress in any single measure reflect a general state of deficit.

Regarding the prevention of corruption, the country's absence from the MESICIC until 2018 does not allow for the assessment of most preventive measures. However, the three reviewed measures—transparency in government contracting (14.8), the training of public officials (28.9), and the study of preventive measures related to equitable compensation (35.9)—produce an average section score of 26.6 ("core-deficient"). Concerning government contracting, the report of the fifth round of review of MESICIC (adopted in 2020) highlights several deficits in the legislative framework and institutional mechanisms, including the fact that "although the Public Service Commission may remove persons from office under its purview, the legislative framework does not enable, as the oversight body for government hiring in the Public Service, to revoke and, where appropriate, take corrective measures, in relation to appointments that have been found to be irregular, improper or made through fraudulent means." Similarly, "[w]ith respect to the internal and external audit, control and oversight of the government system for public procurement, the Committee notes that the legislative framework in place does not explicitly contemplate such control and monitoring mechanisms."

In terms of criminalization and law enforcement, Saint Lucia shows equally poor results, with all measures within this section classified as core-deficient or unimplemented. These are: the protection of those who report acts of corruption (i.e., whistleblower protection) (3.1); and the criminalization of active and passive public bribery, abuse of functions, money laundering, and extended forms of involvement in the commission of corruption offenses such as participation and attempt, all of which receive a score of 39.1. Concerning whistleblower protection, MESICIC declines to make a further assessment of the country's actions due to the lack of a comprehensive legislative framework, pointing out that "[a]lthough citizens may report acts of corruption to the Royal Saint Lucia Police Force and the Integrity Commission, these mechanisms are inadequate for promoting the purposes of the Convention." Saint Lucia's record in promoting and engaging with international cooperation were not reviewed by MESICIC.

Finally, the review of implementation and/or enforcement activities contained in this report could not be elaborated on due to the lack of information. Saint Lucia is cited by the MESICIC as providing no statistical information to assess the level of implementation of legally adopted measures. While lack of monitoring and data collection mechanisms is not solely found in Saint Lucia, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Saint Lucia's social context indicator score dropped in 2020 by 4.6 points from the previous year. Despite the country's drop in indicator score, Saint Lucia substantially exceeds the Western Hemisphere country average of 64.9 by 18.5 points. Throughout the decade, Saint Lucia's indicator score has been consistently high among the Western Hemisphere countries and the Caribbeans. Within the Caribbean, Saint Lucia is among the three top-performing countries concerning the social context indicator. The country's score has varied over the years, and wherein 2016, it achieved its highest score of 89.1, and in 2020 it achieved its lowest score. Saint Lucia's score falls within the 75th percentile for the Western Hemisphere countries indicator scores in 2020. Saint Lucia's social context indicator score is mainly attributed to the guaranteed and respected civil liberties and political rights within the country. In addition, the constitution guarantees freedom of expression and communication, and the media's freedom is respected within the country.

With regard to the quality of governance and institutions, Saint Lucia's 2020 indicator score increased by 4.5 points from the previous year. The country's score has varied throughout the decade and consistently remained within the 50 and 60 range. The Western Hemisphere country indicator average was 50.6 for 2020, and Saint Lucia's score exceeded the average by 6.8 points. Saint Lucia achieved the highest indicator score of 65.8 in 2013, and its lowest score of 52.9 in 2019. Compared to its Caribbean counterparts, Saint Lucia's indicator score falls within the top percentile for the subregion. The country's 2020 indicator score was largely attributed to issues of corruption and inadequate transparency.

Saint Lucia's rule of law indicator score for 2020 declined by a slight 0.1 points from the previous year. The Western Hemisphere country indicator average was 51.1 for 2020, and Saint Lucia's score substantially exceeded the average by 19.6 points. Saint Lucia's score began to improve in 2013, where it increased by 9.9 points from the previous year and continued to do so over the decade. The country achieved its lowest score for the indicator in 2012 with 45.1 and its highest score for the indicator in 2016 with 71.6. Saint Lucia's score is mainly

attributed to the independence and effectiveness of the country, as it remains impervious to the influence of politicians and business elites.

In terms of the country's business stability, Saint Lucia's 2020 indicator score increased by 0.7 points from the previous year, resulting in a score of 61.6. Throughout the decade, the country's indicator score has varied, but consistently remained within the 60-point range. Saint Lucia's score exceeds the Western Hemisphere countries average of 50.5 for 2020 by 11.1 points. The country achieved its lowest score (45.1) for the indicator in 2012 and its highest score (71.6) for the indicator in 2016. Saint Lucia's business stability score for 2020 is mainly attributed to the country's effective legal and regulatory framework which supports business activity.

Lastly, with regard to the violence and security indicator, Saint Lucia's 2020 score declined by 8.9 points from the previous year. The country's score falls just below the Western Hemisphere average of 55.0 by a slight 0.1 points. Between 2015 and 2016, the country achieved its highest scores of 81.6 and 90.9, respectively. Throughout the decade, the country's score has fluctuated but always remained above 50.8.

Saint Vincent & Grenadines

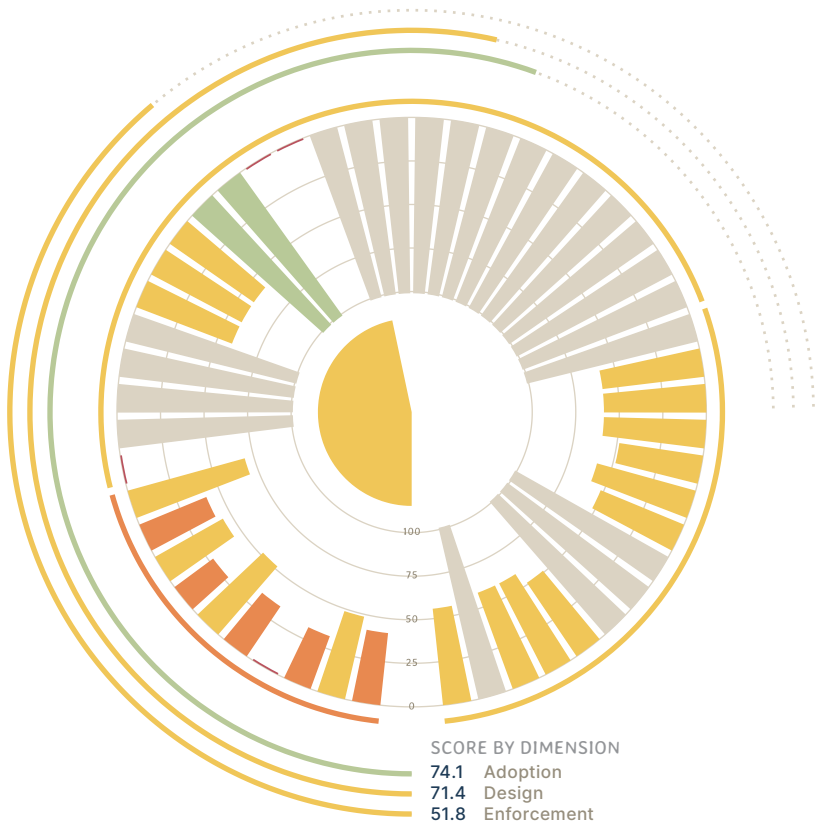
Western Hemisphere / Caribbean

CAPITAL Kingstown	TERRITORY 390 km ²	POPULATION (2020) 110,947.00	GDP TOTAL (2020) \$809.7M USD	GDP PER CAPITA (2020) \$7,297.91 USD	INCOME GROUP Upper middle income
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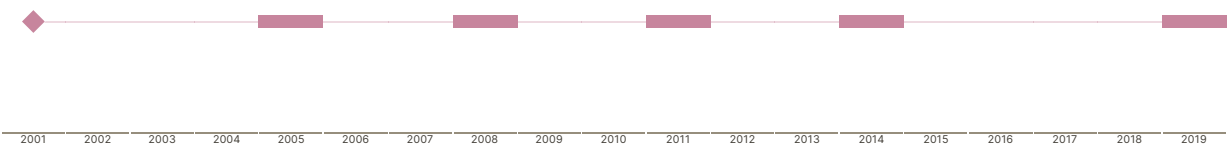
Convention Implementation



28th of 31 western hemisphere
9th of 11 Caribbean countries



Anti-corruption conventions timeline



CONVENTIONS	KEY EVENTS
<ul style="list-style-type: none"> IACAC - Inter-American Convention Against Corruption UNCAC - United Nations Convention against Corruption OECD Anti-Bribery Convention 	<ul style="list-style-type: none"> ○ Signed ◇ Ratified/acceded □ Review rounds

Prevention

Core-deficient

38.4

✓ Adoption 67.5

✎ Design 58.3

⌚ Enforcement 55.0

Standards of Conduct

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⌚ 50.0

Enforcement of Standards of Conduct

In progress

47.7

✓ 75.0 ✎ 83.3 ⌚ 50.0

Training of Public Officials

Core-deficient

31.3

✓ 25.0 ✎ 50.0 ⌚ 66.7

Asset and Conflicts of Interests Declarations

No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 50.0

Transparency in Government Contracting

Core-deficient

33.6

✓ 75.0 ✎ 50.0 ⌚ 50.0

Elimination of Favorable Tax Treatment

In progress

50.8

✓ 100.0 ✎ 83.3 ⌚ 50.0

Oversight Bodies

Core-deficient

26.6

✓ 75.0 ✎ 50.0 ⌚ 33.3

Measures to Deter Domestic and Foreign Bribery

Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⌚ 50.0

Encouraging Participation by Civil Society

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⌚ 50.0

Study of Other Preventive Measures

In progress

68.8

✓ 75.0 ✎ 66.7 ⌚ 100.0

Criminalization and law enforcement

In progress

46.7

✓ Adoption 62.5

✎ Design 62.5

⌚ Enforcement 43.8

Protection of Those who Report Acts of Corruption

No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Scope

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Jurisdiction: Offense-in-Territory

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Jurisdiction: Offense-by-National

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Jurisdiction: Offender-in-Territory

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Passive Public Bribery

In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Active Public Bribery

In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Abuse of Functions

In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Money Laundering

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Participation and Attempt

Implemented

100.0

✓ 100.0 ✎ 100.0 ⌚ 100.0

Active Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Illicit Enrichment

No implementation

0.0

✓ 0.0 ✎ 0.0 ⌚ 0.0

Use of State Property

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Illicit Acquisition of a Benefit

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Public Embezzlement

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Passive Foreign Bribery

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Private Bribery

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Private Embezzlement

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Obstruction of Justice

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Liability of Legal Persons

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Statute of Limitations

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Prosecution, Adjudication and Sanctions

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Consequences and Compensation

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Cooperation With Law Enforcement

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Asset Recovery

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

International cooperation

In progress

55.0

✓ Adoption 90.0

✎ Design 91.7

⌚ Enforcement 55.0

Assistance Without Criminalization

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Inclusion in Extradition Treaties

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Convention as Legal Basis for Extradition

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Automatic Application Without Treaty

In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Prosecution Without Extradition

In progress

47.7

✓ 75.0 ✎ 83.3 ⌚ 50.0

Custody

In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Assistance

In progress

50.8

✓ 100.0 ✎ 83.3 ⌚ 50.0

Impossibility of Claiming Bank Secrecy

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Limited Use of Information

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Nature of Act

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Designate Central Authorities

In progress

50.0

✓ 50.0 ✎ 50.0 ⌚ 100.0

Responsibilities of Central Authorities

In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Communication Between Central Authorities

In progress

57.8

✓ 100.0 ✎ 100.0 ⌚ 50.0

Special Investigative Techniques

Not applicable...

✓ N/A ✎ N/A ⌚ N/A

Technical Cooperation

In progress

54.7

✓ 75.0 ✎ 100.0 ⌚ 50.0

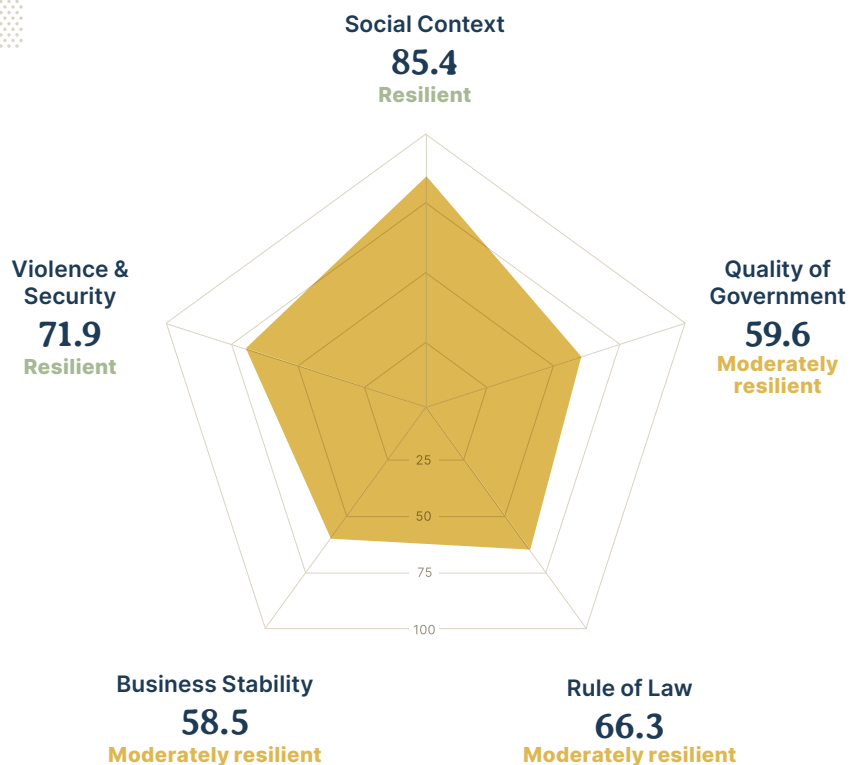
Corruption Resilience

68.3

Moderately resilient

4th of 31 western hemisphere

1st of 11 Caribbean countries



Analysis

Convention Implementation

Saint Vincent and the Grenadines ratified the Inter-American Convention Against Corruption (IACAC) on May 28, 2001. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2002. Accordingly, Saint Vincent and the Grenadines has undergone five rounds of review under MESICIC.

Saint Vincent and the Grenadines' record in implementing its commitments to IACAC exhibits a number of failures and almost no successes, with over one third of all measures committed to found to be deficient at core or unimplemented. With an overall score of 46.7, the measures adopted place the country in the lower level of compliance with international norms, surrounded by Suriname (31.7), Dominica (38.4), Guyana (49.1), and Grenada (50.8). Although the country evidences a gradual increase in the rate success from one section of measures to the other, the difference is not large enough to bring special attention to the distribution of efforts. Yet, as is the case throughout the region, the prevention of corruption receives a lower score (38.4) than both criminalization and law enforcement (46.7) and international cooperation (55.0). Overall, it may be said that Saint Vincent and the Grenadines' efforts are generally lacking across the range of measures required by the conventions.

The prevention of corruption is significantly deficient, classified as "core-deficient" and with a majority of measures within this section found to be deficient at core: the state of oversight bodies (26.6), the training of public officials (31.3), transparency in government contracting (33.6), the standards of conduct (40.6), the initiatives to encourage the participation of civil society (40.6), and the actions to deter domestic and foreign bribery related to accounting regulations (43.8). Furthermore, the country is found to fully lack systems for registering asset and conflict of interests' declarations. Within this section, only two measures reach the classification of "in progress": the enforcement of standards of conduct (47.7) and the elimination of favorable tax treatment for corrupt expenditure (50.8).

Concerning the oversight bodies in the country, the report of the fourth round of review of MESICIC (adopted in 2014) highlights severe problems. Among the most prominent, it is noted that "the [Review] Committee was unable to identify the existence of minimum requirements in terms of professional studies and experience demanded of those aspiring to positions within the [office of the Director

of Audit], chiefly those of auditors and/or accounting specialists." Considerable issues are identified in connection to the Office of the Attorney General as well, as "the position of Solicitor General (the second-highest post in its organizational structure) has been vacant for a considerable time. This was due to various factors, among which the State under review identified the salary stipulated for the position compared to the qualifications, responsibilities, and obligations to be met by the incumbent. As a result, they said, the Attorney General has to some extent assumed the functions and duties of the Solicitor General..."

In terms of criminalization and law enforcement, Saint Vincent and the Grenadines shows slightly better results than those regarding prevention—yet, significant deficiencies remain. The country is found to have successfully implemented only two key commitments—the criminalization of money laundering and extended forms of involvement in the commission of corruption offenses such as participation and attempt. On the other hand, the protection of those who report acts of corruption (i.e., whistleblower protection) and the criminalization of active bribery of foreign officials and illicit enrichment are completely absent in the country. Other measures remain in progress.

Finally, Saint Vincent and the Grenadines' efforts regarding international cooperation is reflected throughout this section, as all related measures receive an "in-progress" score and no measure is found deficient at core or unimplemented.

Corruption Resilience

The social context indicator for Saint Vincent and the Grenadines declined in 2020 by 0.8 points from the previous year. Despite the country's annual decline, Saint Vincent and the Grenadines' indicator substantially exceeded the Western Hemisphere country average (64.9) by 20.5 points. Throughout the decade, the country's indicator score has remained within the mid to high 80, wherein in 2012 it achieved the highest indicator score of 89.0, and its lowest indicator score in 2010 with 83.1. The decade range for Saint Vincent and the Grenadines is 5.9 points. In 2020, the country's indicator score was ranked within the 75th percentile. The country's indicator score is attributed to respecting civil liberties, political rights, and media freedom.

The country's quality of government indicator declined in 2020 by 3 points from the previous year, resulting in a score of 59.6. Saint Vincent and the

Grenadines' indicator score exceeds the Western Hemisphere average (50.6) by 9 points and fall within the top 75th percentile for the Western Hemisphere countries. Since 2010 the country's indicator score has varied, wherein 2011 it achieved its highest score of 62.8, and in 2015 it achieved its lowest score of 56.5. Saint Vincent and the Grenadines' indicator score is largely attributed to a sufficient government system with adequate control of corruption.

With regard to the rule of law, Saint Vincent and the Grenadines' indicator score declined in 2020 by 4.9 points from the previous year. Despite the decline in the country's indicator score, Saint Vincent and the Grenadines was ranked within the top percentile for Western Hemisphere countries. The country's indicator score is 15.2 points above the Western Hemisphere country average (51.1) for 2020. The country's rule of law indicator is primarily attributed to judicial independence, and sufficient due process within criminal and civil matters.

The country's 2020 business stability indicator increased by 3.3 points from the previous year,

resulting in a score of 58.5, which exceeds the Western Hemisphere country average (50.5) by 8 points. Since 2010, the country's indicator score has fluctuated between its highest score of 64.6 in 2016 and its lowest score of 55.2. Saint Vincent and the Grenadines' indicator score is primarily attributed to sufficient controls of corruption and regulatory efficiency.

In terms of violence and security, Saint Vincent and the Grenadines' 2020 indicator score declined by 2.4 points from the previous year. However, the country's score still exceeds the Western Hemisphere country average of 55.0 by 16.9 points. The country's indicator has been steadily improving since 2010—achieving its highest score of 80.0 in 2016 and its lowest score of 55.6 in 2011. Saint Vincent and the Grenadines' indicator score for 2020 falls within the top percentile. The country's violence and security indicator score are attributed to effective control on criminal activities and organized crime.

Suriname

Western Hemisphere / **South America**

CAPITAL
Paramaribo

TERRITORY
156,000 km²

POPULATION (2020)
586,634.00

GDP TOTAL (2020)
\$3.808B USD

GDP PER CAPITA (2020)
\$6,491.13 USD

INCOME GROUP
Upper middle income

Convention Implementation

31.7

Core-deficient

30th of 31 western hemisphere
12th of 12 South American countries

Prevention

22.2

Core-deficient

Criminalization and law enforcement

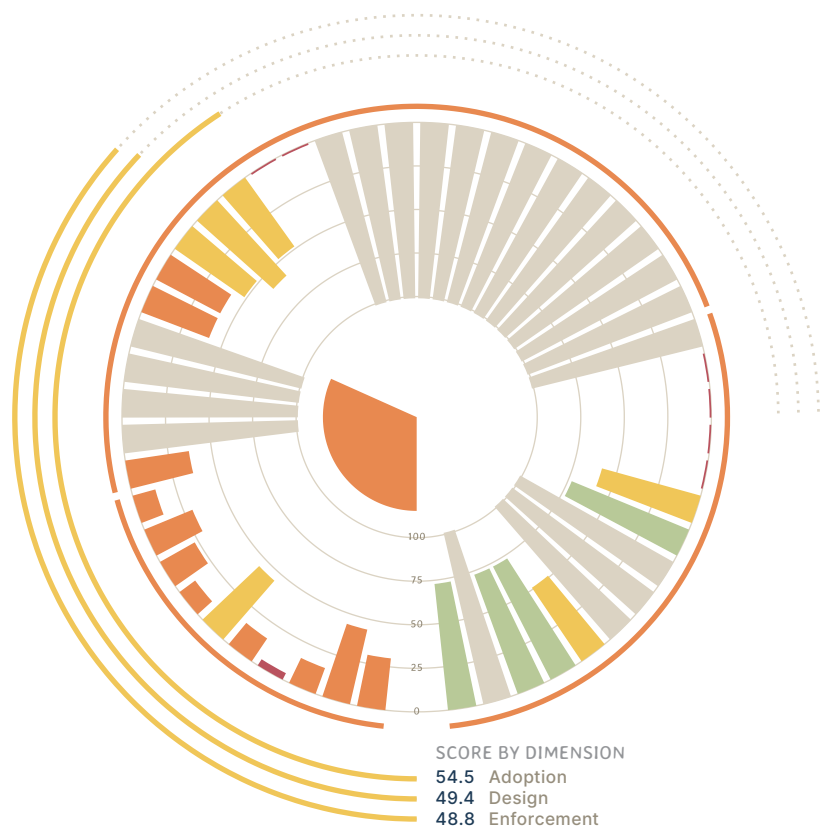
33.8

Core-deficient

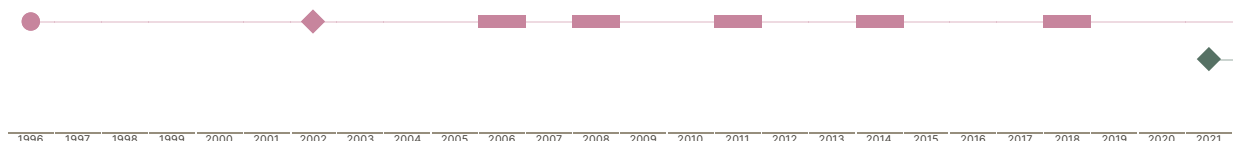
International cooperation

39.5

Core-deficient



Anti-corruption conventions timeline



CONVENTIONS

■ IACAC - Inter-American Convention Against Corruption

■ UNCAC - United Nations Convention against Corruption

■ OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

MEASURES BY THEMATIC SECTION

Prevention

Core-deficient

22.2

✓ Adoption 52.5 ✎ Design 36.7 ⚙ Enforcement 38.3

Standards of Conduct

Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⚙ 50.0

Enforcement of Standards of Conduct

Core-deficient

43.0

✓ 50.0 ✎ 83.3 ⚙ 50.0

Training of Public Officials

Core-deficient

14.8

✓ 50.0 ✎ 16.7 ⚙ 50.0

Asset and Conflicts of Interests Declarations

No implementation

3.1

✓ 25.0 ✎ 0.0 ⚙ 0.0

Transparency in Government Contracting

Core-deficient

14.8

✓ 50.0 ✎ 16.7 ⚙ 50.0

Elimination of Favorable Tax Treatment

Core-deficient

43.8

✓ 100.0 ✎ 66.7 ⚙ 50.0

Oversight Bodies

Core-deficient

10.2

✓ 50.0 ✎ 16.7 ⚙ 16.7

Measures to Deter Domestic and Foreign Bribery

Core-deficient

21.9

✓ 50.0 ✎ 33.3 ⚙ 50.0

Encouraging Participation by Civil Society

Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⚙ 50.0

Study of Other Preventive Measures

Core-deficient

12.5

✓ 50.0 ✎ 33.3 ⚙ 16.7

Criminalization and law enforcement

Core-deficient

33.8

✓ Adoption 56.3 ✎ Design 58.3 ⚙ Enforcement 45.8

Protection of Those who Report Acts of Corruption

Core-deficient

35.9

✓ 50.0 ✎ 66.7 ⚙ 50.0

Scope

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Jurisdiction: Offense-in-Territory

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Jurisdiction: Offense-by-National

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Jurisdiction: Offender-in-Territory

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Passive Public Bribery

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Active Public Bribery

Core-deficient

40.6

✓ 75.0 ✎ 66.7 ⚙ 50.0

Abuse of Functions

In progress

47.7

✓ 75.0 ✎ 83.3 ⚙ 50.0

Money Laundering

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Participation and Attempt

In progress

47.7

✓ 75.0 ✎ 83.3 ⚙ 50.0

Active Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 16.7

Illicit Enrichment

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 50.0

Use of State Property

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Illicit Acquisition of a Benefit

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Public Embezzlement

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Passive Foreign Bribery

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Private Bribery

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Private Embezzlement

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Obstruction of Justice

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Liability of Legal Persons

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Statute of Limitations

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Prosecution, Adjudication and Sanctions

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Consequences and Compensation

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Cooperation With Law Enforcement

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

Asset Recovery

Not applicable...

✓ N/A ✎ N/A ⚙ N/A

International cooperation

Core-deficient

39.5

✓ Adoption 55.0

✎ Design 55.0

🔄 Enforcement 61.7

Assistance Without Criminalization

Not applicable

✓ N/A ✎ N/A 🔄 N/A

Inclusion in Extradition Treaties

0.0

✓ 0.0 ✎ 0.0 🔄 50.0

Convention as Legal Basis for Extradition

0.0

✓ 0.0 ✎ 0.0 🔄 50.0

Automatic Application Without Treaty

No implementation

0.0

✓ 0.0 ✎ 0.0 🔄 50.0

Prosecution Without Extradition

No implementation

0.0

✓ 0.0 ✎ 0.0 🔄 50.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 🔄 50.0

Assistance
In progress

71.9

✓ 100.0 ✎ 100.0 🔄 66.7

Impossibility of Claiming Bank Secrecy

Not applicable

✓ N/A ✎ N/A 🔄 N/A

Limited Use of Information

Not applicable

✓ N/A ✎ N/A 🔄 N/A

Nature of Act

Not applicable

✓ N/A ✎ N/A 🔄 N/A

Designate Central Authorities
In progress

50.0

✓ 50.0 ✎ 50.0 🔄 100.0

Responsibilities of Central Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 🔄 66.7

Communication Between Central Authorities
In progress

71.9

✓ 100.0 ✎ 100.0 🔄 66.7

Special Investigative Techniques

Not applicable

✓ N/A ✎ N/A 🔄 N/A

Technical Cooperation
In progress

71.9

✓ 100.0 ✎ 100.0 🔄 66.7

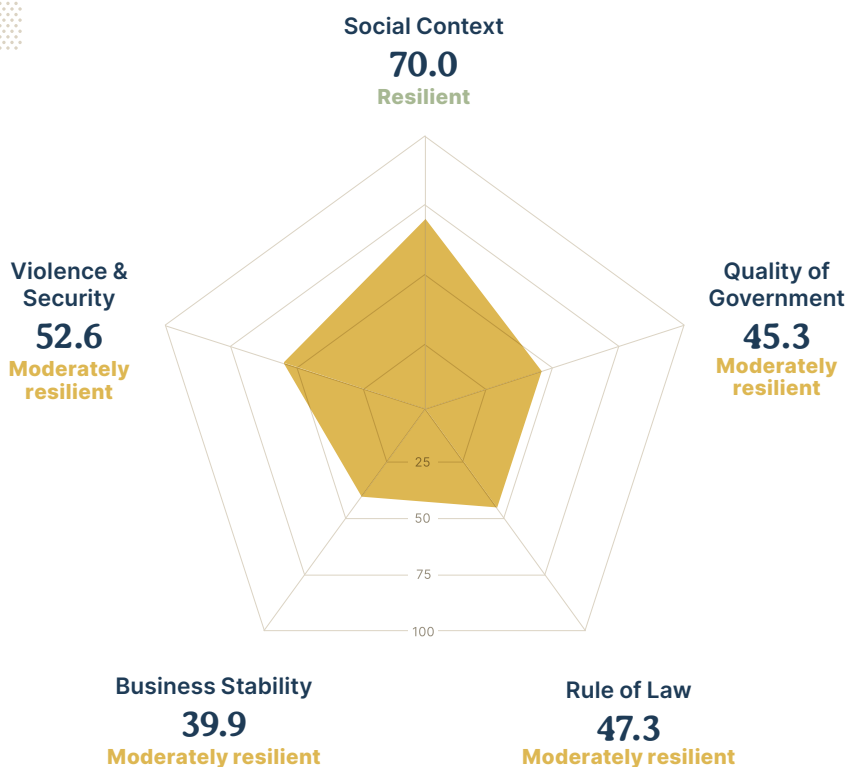
Corruption Resilience

51.0

Moderately resilient

23rd of 31 western hemisphere

10th of 12 South American countries



Analysis

Convention Implementation

Suriname signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on March 27, 2002. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2002. Accordingly, Suriname has undergone five rounds of review under MESICIC.

Suriname's record in implementing its commitments to UNCAC exhibits a large number of failures and no successes. With an overall score of 31.7, the measures adopted place the country towards the bottom level of compliance with international norms, second only to Saint Lucia (30.9) and behind Dominica (38.4) and Saint Vincent and the Grenadines (46.7). While implementation efforts may be said to be well distributed among the three sections—although leaning towards criminalization and international cooperation rather than prevention, as is the case throughout the region—the lack of meaningful progress on any preventive measure and the unimplemented state of almost half of all measures related to international cooperation reflect the general deficit of anti-corruption efforts in the country.

The prevention of corruption is mostly lacking, classified as “core-deficient” by its average score and with only two measures reaching a score above 30—the enforcement of standards of conduct (43.0) and the elimination of favorable tax treatment for corrupt expenditure (43.8). The country has not implemented systems for registering asset and conflict of interests’ declarations. Concerning these, MESICIC reports in its first round of review that “there are no provisions in force which require the filing of statutory declarations of income, assets and liabilities”, a matter that remained unaddressed by the fourth round of review. Above this measure, the country also shows a deficient implementation of its commitments concerning the state of oversight bodies (102.2), the training of public officials (14.8), transparency in government contracting (14.8), initiatives to encourage the participation of civil society (28.9), and others.

In terms of criminalization and law enforcement, Suriname also shows poor results, with roughly two thirds of all measures within this section classified as core-deficient or unimplemented. The criminalization of active bribery of foreign officials and illicit enrichment remain fully unimplemented, while three measures are found deficient at core—the protection of those who report acts of corruption (i.e., whistleblower protection), and the criminalization of active and passive bribery in the public sector.

Regarding whistleblower protection in Suriname, MESICIC reports in its second round of review that “there is no specific legislation related to systems for protecting public servants and private citizens who, in good faith, report acts of corruption.” Following up on this issue, the report of the fifth round (adopted in 2018) acknowledges some progress but finds that the country remains deficient: “[t]he lack of active monitoring and absence of whistleblower law which enable people to report misbehaviors of civil servants without fear for repercussions are major weaknesses.” On the other hand, some degree of progress is found concerning the criminalization of the abuse of functions (47.7), extended forms of involvement in the commission of corruption offenses such as participation and attempt (47.7), and money laundering (57.8).

Suriname's efforts in promoting and engaging with international cooperation are also considered to be largely lacking, receiving an average section score of 39.5 and a “core-deficient” classification. The most prominent issue in this section is the total lack of efforts to support extradition. The report of the third round of review of MESICIC (adopted in 2011) finds that “[w]hile Articles 10 and 11 of the Extradition Act can serve as a legal basis to grant extradition to those countries with which [Suriname] has an extradition treaty, the Committee notes that Suriname does not have extradition treaties with any of the OAS Member States. As such, it leaves out the States Parties to the Convention and thus in those cases, there is no legal basis to be found in the country under review to grant an extradition request.” The situation is aggravated by the fact that “the Extradition Act does not establish the obligation of the country under review to submit the case to its competent authorities for the purpose of prosecution when a request for extradition... is refused solely on the basis of the nationality of the person sought, or because the Requested State deems that it has jurisdiction over the offense, and neither is there a requirement to report the final outcome to [the] Requesting State.”

Finally, the review of implementation and/or enforcement activities pertaining to the measures contained in this report could not be elaborated on due to the absence of information. Suriname is cited by MESICIC as providing no statistical information to assess the level of implementation of legally adopted measures. While lack of monitoring and data collection mechanisms is not solely found here, the issue is pervasive in Suriname and thus worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Suriname's social context indicator score for 2020 declined by 0.8 points from the previous year. The country's indicator score falls within the top percentile and is a top performer for Western Hemisphere and South American regions. The Western Hemisphere 2020 average for the indicator is 64.9, and the country is above the average by 5.1 points. Throughout the decade, Suriname's indicator score varies, where it achieved the highest score in 2010 with 77.5, and its lowest score of 70.0 in 2020. The country's decade range is 7.5 points. Suriname's social context indicator for 2020 is mainly because civil liberties and political rights are respected. The constitution guarantees freedom of the media; however, there have been minor incidences of self-censorship.

Suriname's quality of government score in 2020 declined by 1.2 points from the previous year. The country's score was below the Western Hemisphere average for 2020 by 5.3 points, and Suriname's indicator score fell within the bottom percentile. Since 2010, the country's score has varied, wherein in 2011, the country achieved its highest indicator score of 54.0, and in 2018 it achieved its lowest indicator score of 42.6. The quality of government indicator for Suriname's is primarily because of lack of control of corruption and ineffective bureaucratic and institutions.

In 2020, Suriname had a marginal decrease in the rule of law indicator score by 0.4 points, 3.8 points lower than the average of 51.1 for the Western Hemisphere. Suriname's rule of law indicator in 2020 was within the 50th percentile of the distribution for the Western Hemisphere region. Over a decade, the country's rule of law has varied, wherein in 2014, it attained the highest indicator score of 61.7, and in 2020, it attained the lowest score, with a range of 14.4 points. Suriname's rule of law indicator score is primarily because of the lack of independent judiciary and due process in civil and criminal cases.

Suriname's business stability indicator for 2020 declined by 1.9 points from the previous year. The country's indicator score fell below the Western Hemisphere country average of 50.5 by 10.6 points. Suriname's indicators score in 2020 fell within the bottom percentile. Suriname's business stability indicator score is primarily because of ineffective regulation that impacts the private business sector.

The violence and stability indicator for 2020 decreased by 12.8 points from the previous year, and the country's score was below the Western Hemisphere average for 2020 by 2.4 points. Since 2010 the country's indicator score has varied, where it achieved its highest indicator score in 2015 with 77.4, and its lowest indicator score in 2020, with a range of 24.8 points. Suriname's indicator score is mainly because of the serious problem of organized crime and drug trafficking, which have increased under the previous administration.

Trinidad and Tobago

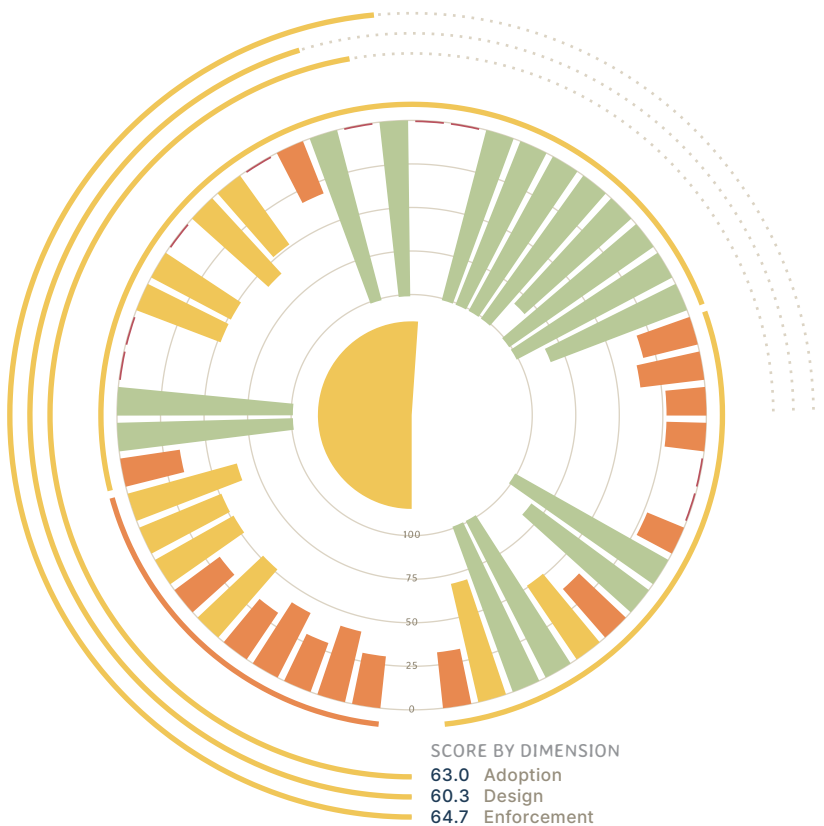
Western Hemisphere / Caribbean

CAPITAL Port of Spain	TERRITORY 5,130 km ²	POPULATION (2020) 1,399,491.00	GDP TOTAL (2020) \$21.53B USD	GDP PER CAPITA (2020) \$15,384.03 USD	INCOME GROUP High income
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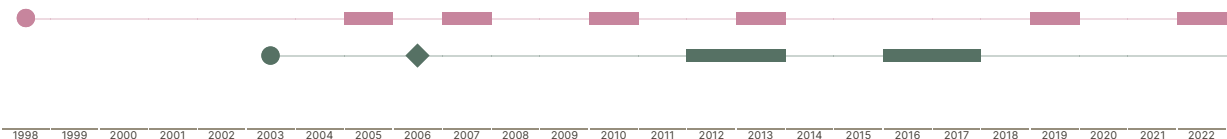
Convention Implementation



25th of 31 western hemisphere
7th of 11 Caribbean countries



Anti-corruption conventions timeline



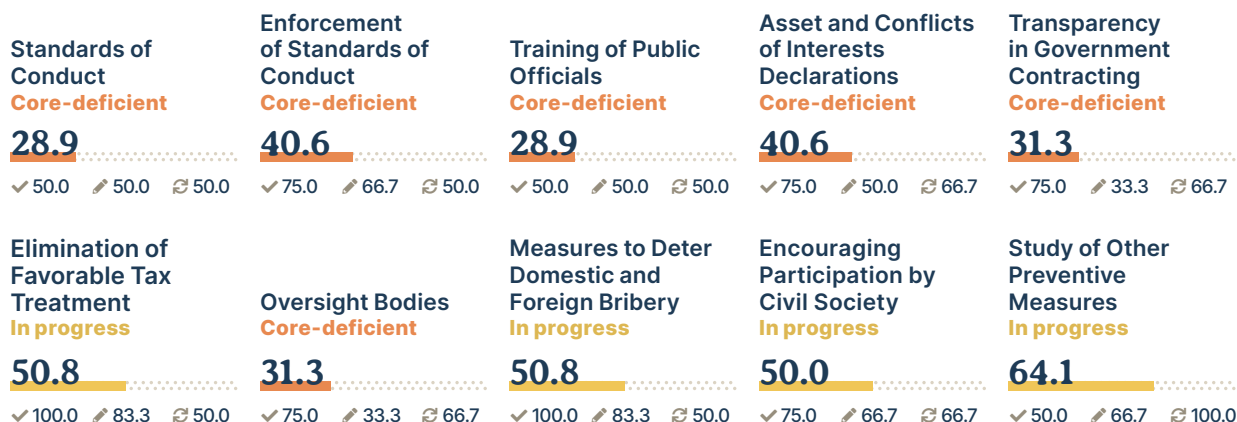
CONVENTIONS	KEY EVENTS
<ul style="list-style-type: none"> IACAC - Inter-American Convention Against Corruption UNCAC - United Nations Convention against Corruption OECD Anti-Bribery Convention 	<ul style="list-style-type: none"> Signed Ratified/acceded Review rounds

Prevention

Core-deficient

41.7

✓ Adoption 72.5 ✎ Design 58.3 ⚙ Enforcement 61.7



Criminalization and law enforcement

In progress

57.4

✓ Adoption 65.0 ✎ Design 65.3 ⚙ Enforcement 62.0



International cooperation

In progress

46.8

✓ Adoption 53.3 ✎ Design 53.3 ⚙ Enforcement 71.1

Assistance Without Criminalization

31.3

✓ 25.0 ✎ 33.3 ⚙ 100.0

Inclusion in Extradition Treaties

35.9

✓ 75.0 ✎ 33.3 ⚙ 83.3

Convention as Legal Basis for Extradition

21.9

✓ 50.0 ✎ 33.3 ⚙ 50.0

Automatic Application Without Treaty

Core-deficient

21.9

✓ 50.0 ✎ 33.3 ⚙ 50.0

Prosecution Without Extradition

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Custody

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Assistance

Core-deficient

21.9

✓ 25.0 ✎ 33.3 ⚙ 66.7

Impossibility of Claiming Bank Secrecy

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of Information

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Nature of Act

Core-deficient

35.9

✓ 50.0 ✎ 33.3 ⚙ 100.0

Designate Central Authorities

In progress

50.0

✓ 50.0 ✎ 50.0 ⚙ 100.0

Responsibilities of Central Authorities

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Communication Between Central Authorities

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Special Investigative Techniques

In progress

68.8

✓ 75.0 ✎ 100.0 ⚙ 66.7

Technical Cooperation

Core-deficient

31.3

✓ 25.0 ✎ 66.7 ⚙ 50.0

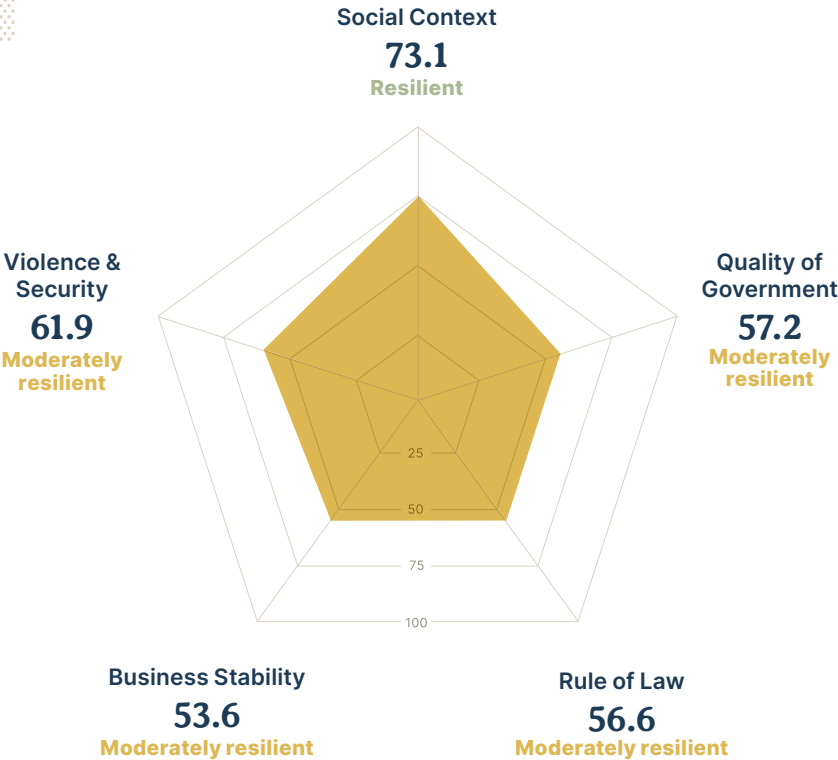
Corruption Resilience

60.5

Moderately resilient

12th of 31 western hemisphere

7th of 11 Caribbean countries



Analysis

Convention Implementation

Trinidad and Tobago signed and ratified the Inter-American Convention Against Corruption (IACAC) on April 15, 1998. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 11, 2003, and subsequently ratified it on May 31, 2006. Accordingly, Trinidad and Tobago have undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Trinidad and Tobago's record in implementing its commitments to IACAC and UNCAC exhibits a large number of failures and a modicum of successes, with almost half of all measures committed to found to be deficient at core or unimplemented. With an overall score of 51.1, the measures adopted place the country in the lower level of compliance with international norms, surrounded by Guyana (49.1), Grenada (50.8), El Salvador (51.5), and Dominican Republic (55.7). Despite the low level of implementation and enforcement, some degree of progress is found in all three sections (although leaning towards criminalization and law enforcement rather than prevention). Conversely, Trinidad and Tobago's efforts may also be described as generally lacking across the range of measures required by the conventions.

The prevention of corruption is deficient but not totally lacking, classified as "core-deficient" by its average score and with over half of all measures within this section found deficient at core—the adoption of standards of conduct (28.9) and their enforcement (40.6), the training of public officials (28.9), transparency in government contracting (31.3), the state of oversight bodies (31.3), and the systems for registering asset and conflict of interests' declarations (40.6). The rest of the section remains in progress, with the study of preventive measures related to equitable compensation receiving the highest score among them—64.1.

In terms of criminalization and law enforcement, Trinidad and Tobago show better results than those regarding prevention—yet, significant deficiencies remain, with one third of all measures within this section classified as core-deficient or not implemented. The section shows stark contrasts in the level of implementation, as only four measures classified as "in progress"—the criminalization of extended forms of involvement in the commission

of corruption offenses such as participation and attempt (47.7), active and passive bribery in the public sector (50.8), and money laundering (57.8)—and the rest being found either unimplemented/deficient or implemented. Among the measures found fully unimplemented, five are worth highlighting: the criminalization of the abuse of functions, active and passive bribery of foreign officials, illicit acquisition of a benefit (i.e., influence trading), and bribery in the private sector. Furthermore, the criminalization of illicit enrichment (31.3) and the protection of those who report acts of corruption (i.e., whistleblower protection) (33.6) are deficient at core. On the other hand, roughly half of all measures within this section are considered to be implemented, including those pertaining to embezzlement in the public and private sectors, the obstruction of justice, the liability of legal persons, and broader consequences—such as the rescinding of contracts and obtaining compensation—for the commitment of corrupt offenses, among others.

The country is found only partially compliant with its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism reports that "there is no jurisdiction over crimes committed abroad, even if the victim is a national of Trinidad and Tobago", and "there is no jurisdiction for cases against foreign nationals who commit offenses in foreign jurisdictions and are thereafter found in Trinidad and Tobago and not extradited." Trinidad and Tobago's record in promoting and engaging with international cooperation is also lackluster, achieving an average section score lower than that for criminalization and law enforcement (discussed in the previous paragraph) but still receiving a classification of "in progress". Measures related to extradition are severely deficient, not least due to the fact that "Trinidad and Tobago do not recognize UNCAC as a legal basis for extradition and does not proceed to extradition with a country with which there is no applicable treaty. It was reported that there are currently no treaties under negotiation."

Finally, the review of implementation and/or enforcement activities pertaining to several measures contained in this report could not be elaborated on due to the lack of information. Trinidad and Tobago are cited by MESICIC as providing little or no statistical information to assess the level of implementation of legally adopted measures. While lack of monitoring and data collection mechanisms is not solely found in Trinidad and Tobago, the issue is worth emphasizing in order to support a more detailed and effective assessment.

Corruption Resilience

Trinidad and Tobago's social context indicator score for 2020 increased by 0.6 points from the previous year. The Western Hemisphere region indicator average was 64.9 for 2020, and Trinidad and Tobago's were above the average by 8.2 points. Since 2010 the country's score has been declining by approximately 1.5 and 2 points a year until 2020 when its score increased. Despite the decline of the country's score since 2010, it has consistently achieved a high score compared to its Western Hemisphere and particularly its subregion counterparts. Trinidad and Tobago achieved the highest score in 2010 with 79.0 and its lowest score in 2019 with 72.5. The country's social context indicator for 2020 is primarily attributed to guaranteed political rights and civil liberties are respected. Media outlets face no challenges, and freedom of expression is respected.

The country's quality of government score for 2020 increased by 8.9 points from the previous year. Throughout the decade, the country has obtained a score between 46.0 and 57.2, with a decade range between the highest and lowest score was 11.2 points. The Western Hemisphere country's indicator average was 50.6 for 2020, and Trinidad and Tobago's were above the average by 6.6 points. The country's indicator score is attributed to moderate control on corruption and adequate government and bureaucratic system.

Trinidad and Tobago's rule of law indicator increased in 2020 by a marginal 0.2 points from the previous

year. Throughout the decade, the country's indicator score has varied, where its highest score achieved was in 2018 with 60.5, and its lowest indicator score was achieved in 2014 with 50.0. Trinidad and Tobago's indicator score was above the Western Hemisphere average for 2020 by 5.5 points. The country's indicator score is mainly because the judiciary system is independent; however, it's vulnerable to politicization and corruption. In addition, due process is guaranteed within the country's constitution, but at times, this is not respected.

The business stability indicator for Trinidad and Tobago increased in 2020 by 0.8 points from the previous year. The country's score is above the average for the Western Hemisphere of 50.5 for 2020 by 3.1 points. Since 2010 the country's indicator score has varied, where Trinidad and Tobago achieved its highest indicator score in 2018 with 54.3 and its lowest indicator score in 2014 with 50.0. Trinidad and Tobago's indicator score is attributed to weak regulations and widespread corruption that impact private sector businesses.

Trinidad and Tobago's violence and security indicator increased in 2020 by 5.7 points from the previous year. The country's indicator score is above the Western Hemisphere average of 55.0 by 6.9 points. Throughout the decade, the violence and security indicator score for Trinidad and Tobago has varied. It attained its highest indicator score in 2012 with 63.5 and its lowest indicator score in 2019 with 56.2. The country's score for 2020 is related to criminal-gang activity and drug trafficking.

Uruguay

Western Hemisphere / **South America**

CAPITAL
Montevideo

TERRITORY
175,020 km²

POPULATION (2020)
3,473,727.00

GDP TOTAL (2020)
\$53.63B USD

GDP PER CAPITA (2020)
\$15,438.41 USD

INCOME GROUP
High income

Convention Implementation

66.1

In progress

14th of 31 western hemisphere

6th of 12 South American countries

Prevention

52.9

In progress

Criminalization and law enforcement

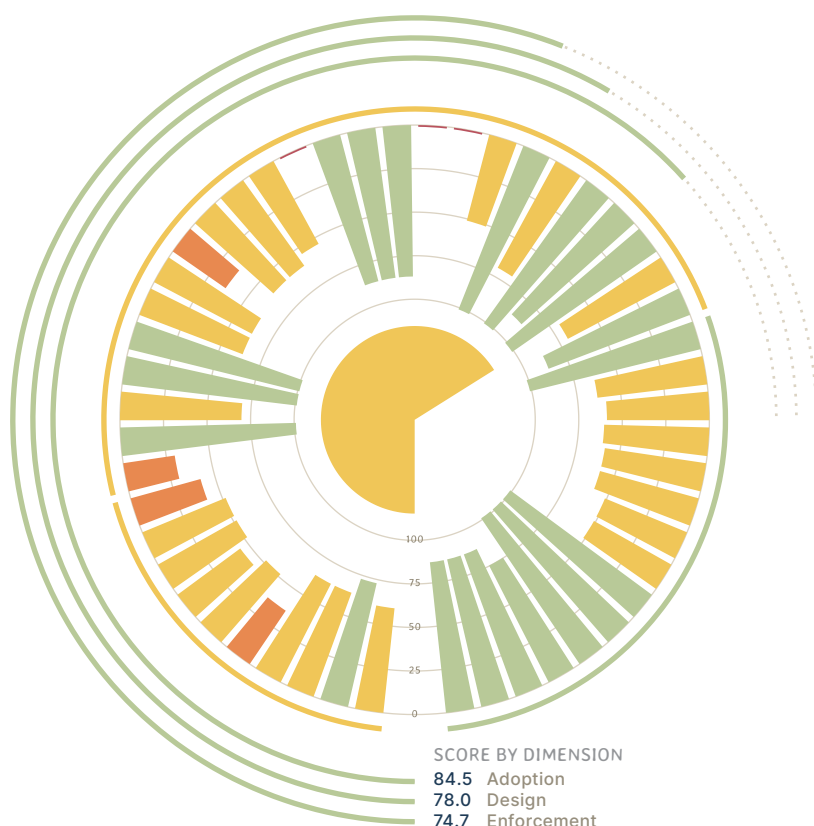
65.9

In progress

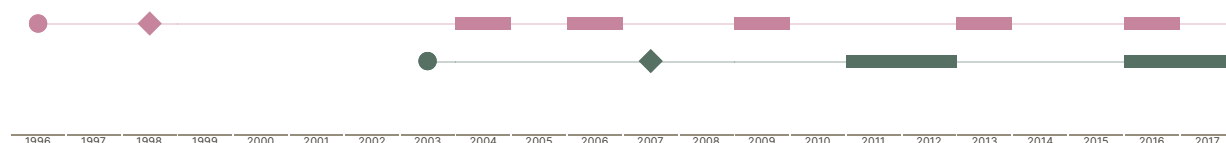
International cooperation

75.2

Implemented



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

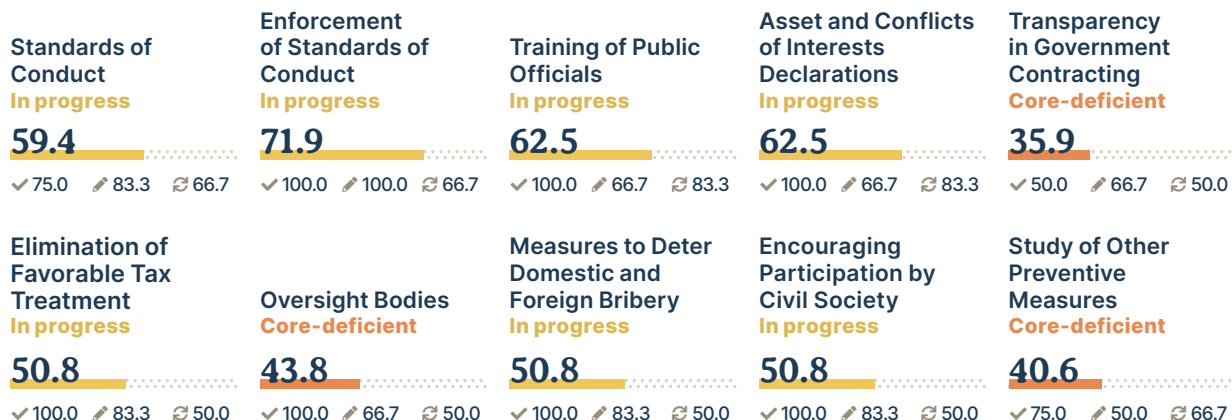
MEASURES BY THEMATIC SECTION

Prevention

In progress

52.9

✓ Adoption 90.0 ✎ Design 75.0 ⚙ Enforcement 61.7



Criminalization and law enforcement

In progress

65.9

✓ Adoption 77.0 ✎ Design 71.3 ⚙ Enforcement 77.3



International cooperation

Implemented

75.2

✓ Adoption 93.3 ✎ Design 91.1 ⚙ Enforcement 78.9

Assistance Without
Criminalization

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Inclusion in
Extradition Treaties

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Convention as Legal
Basis for Extradition

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Automatic
Application Without
Treaty

In progress

59.4

✓ 75.0 ✎ 83.3 ⚙ 66.7

Prosecution Without
Extradition

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Custody
In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Assistance
In progress

50.0

✓ 75.0 ✎ 66.7 ⚙ 66.7

Impossibility of
Claiming Bank
Secrecy
In progress

50.0

✓ 50.0 ✎ 50.0 ⚙ 100.0

Limited Use of
Information
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Nature of Act
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central
Authorities
Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Responsibilities of
Central Authorities
Implemented

74.2

✓ 100.0 ✎ 83.3 ⚙ 83.3

Communication
Between Central
Authorities
Implemented

85.9

✓ 100.0 ✎ 100.0 ⚙ 83.3

Special Investigative
Techniques
Implemented

85.9

✓ 100.0 ✎ 100.0 ⚙ 83.3

Technical
Cooperation
Implemented

85.9

✓ 100.0 ✎ 100.0 ⚙ 83.3

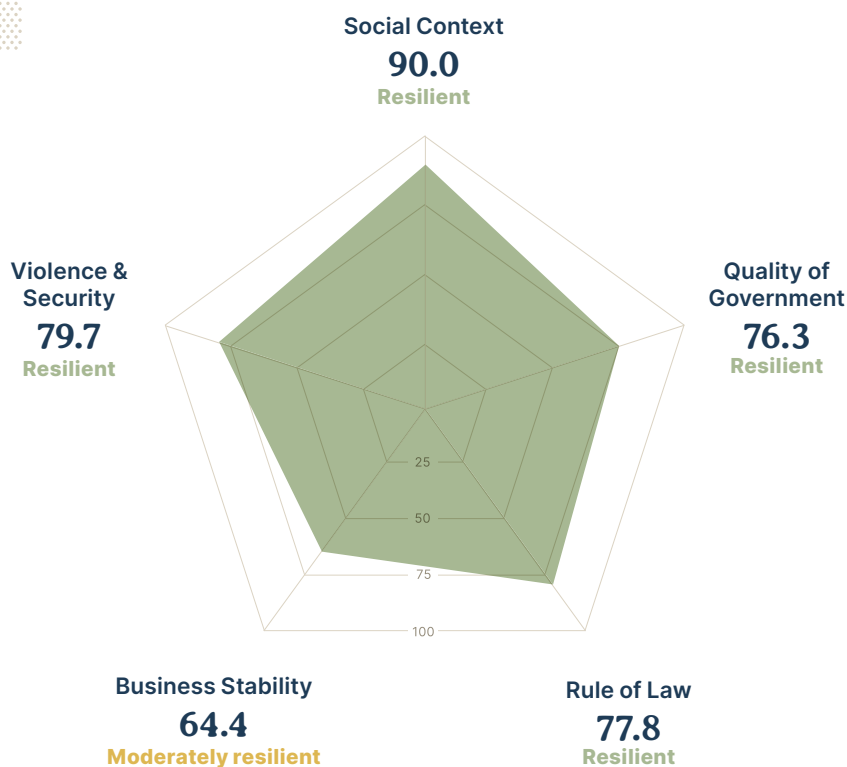
Corruption Resilience

77.6

Resilient

1st of 31 western hemisphere

1st of 12 South American countries



Analysis

Convention Implementation

Uruguay signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on October 28, 1998. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 9, 2003, and subsequently ratified it on January 10, 2007. Accordingly, Uruguay has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism (of which, for comparability purposes, only the first one was considered here).

Uruguay's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 66.1, the measures adopted place the country squarely at the middle point of compliance with international norms, surrounded by Jamaica (65.1), Ecuador (65.1), Honduras (66.6), and The Bahamas (67.1). Despite achieving higher success in regard to criminalization and international cooperation (as is the case throughout the region) the majority of preventive measures are found to be in progress or implemented while most failures pertain to criminalization and law enforcement. Consequently, a degree of progress is found in all three sections—albeit with an emphasis on international cooperation.

The prevention of corruption is undergoing, classified as “in progress” by its average score and with all but three measures receiving a score of 50 or above. Measures found to be in progress include the adoption of standards of conduct (59.4) and their implementation (71.9), the training of public officials (62.5), and the systems for registering asset and conflict of interests' declarations (62.5), among others. Three measures receive a failing score: transparency in government contracting (35.9), the study of preventive measures related to equitable compensation (40.6), and the state of oversight bodies (43.8). Among other issues affecting government contracting, the report of the fifth round of MESICIC (adopted in 2016) states that “it is unclear the extent to which there are legal provisions in place that allow for the National Civil Service Office to take corrective measure against an irregular selection process or declare invalid an irregular appointment, other than those hired into the public service on a probationary basis”. Furthermore, the report points out the lack of knowledge about “similar authorities having been established, or assigned for other important areas of government that carry out their own hiring outside of the scope of the National Civil Service Office.”

In terms of criminalization and law enforcement, Uruguay shows better results than those regarding prevention, with over one third of all measures within this section found to be successfully implemented. These include the criminalization of embezzlement in the public sector, the illicit acquisition of a benefit (i.e., influence trading), and obstruction of justice; as well as actions to pursue asset recovery, providing a long statute of limitations, and broader consequences—such as the rescinding of contracts and obtaining compensation—for the commitment of corrupt offenses (as required by UNCAC). On the other hand, Uruguay has not taken any actions conducive to the criminalization of illicit enrichment, the passive bribery of foreign officials, or bribery in the private sector. Moreover, two important measures are also found deficient—the protection of those who report acts of corruption (28.9) and the criminalization of abuse of functions (35.9). Other measures remain in progress, including those pertaining to embezzlement in the private sector (50.0), the active bribery of foreign officials (53.1), and money laundering (59.4).

Finally, Uruguay's mild implementation of its commitments regarding international cooperation is reflected in half of all measures within this section receiving an “implemented” score and no measures found deficient at core or unimplemented.

Corruption Resilience

Uruguay's social context indicator score increased by 0.3 points from the previous year. The country has consistently been a top performer within the Western Hemisphere and South American regions with the social context indicator. Uruguay's indicator score is 25.1 points above the Western Hemisphere average of 64.9 for 2020. The decade range for the country is 3.3, where it attained its highest indicator score in 2020 with 90.0 and its lowest indicator score in 2015 with 86.7. The country's social context indicator score is mainly because civil liberties and political rights are guaranteed and respected. For example, the constitution protects freedom of speech, which is respected, and the press is independent and not vulnerable to politicization or threats.

The country's quality of government indicator score declined in 2020 by 0.36 points from the previous. Despite the decline in Uruguay's indicator score, the country again has scored above the Western Hemisphere average of 50.6 by 25.7 points. Throughout the decade, the country has consistently had an optimal indicator score, where it attained its highest score in 2016 with 79.5 and its lowest score in 2020, with a range of 2.13 points. The country's quality of government is mainly because of the

country's effective control of corruption and effective and adequate system.

Uruguay's rule of law increased in 2020 by 0.1 points from the previous year. Uruguay's indicator score is 26.7 points above the Western Hemisphere average of 51.1 for 2020. Throughout the decade, the country has consistently had an optimal indicator score, where it attained its highest score in 2015 with 78.9 and its lowest score in 2010 with 61.1, with a range of 17.8 points. Since 2010 the country's indicator score has been improving. Uruguay's rule of law indicator score is primarily because of the independence of the judiciary and safeguards against politicization.

The country's business stability indicator score increased in 2020 by 0.9 points from the previous year. During the decade, the country's indicator score has varied, where the country achieved its highest

indicator score in 2012 with 67.8 and its lowest indicator score in 2010 with 63.2, with a range of 4.6 points. Uruguay's indicator score is 13.9 points above the Western Hemisphere average of 50.5 for 2020. The country's indicator score is attributed to better control of corruption and an effective regulatory system that governs the private business sector.


Uruguay's violence and security indicator for 2020 increased by 4.1 points from the previous year. Uruguay's indicator score is 24.7 points above the Western Hemisphere average of 55.0 for 2020. Since 2010, the country has had a very high score compared to its counterparts in the Western Hemisphere.; however, in the last few years, the country has witnessed a slight drop but nothing too concerning. The country remains the safest when compared to other countries in the Western Hemisphere.


Transparency


MAIN REPORTING NGO


Uruguay Transparente

REPORT DATE	REVIEW YEAR	DOCUMENT REVIEWED	LANGUAGE
Feb-2011	2011-2012	Executive Summary	English

Did the government make public the contact details for the country focal point?  **Yes**

Was civil society consulted in preparation for the self-assessment?  **No**

Was civil society invited to provide information to the official reviewers?  **No**

Was the self-assessment published online or provided to CSOs?  **Yes**

Assessment of the Review Process Civil Society Parallel Reports

Source: UNCAC CIVIL SOCIETY COALITION

Uruguay's civil society parallel review report was authored by Uruguay Transparente, the Uruguayan branch of Transparency International. The report assessed the country's compliance with articles 15, 16, 17, 20, 23, 26, 32, 33, and 46 of chapters III and IV of the UNCAC. The availability of information was relatively poor, as the administration does not keep updated records of restricted data. Generally, the report noted that the criminal justice system prioritizes discretion above the principle of access to information, and this is further strengthened by a lack of human and technological resources, as well as a culture of secrecy around criminal proceedings. In terms of the legal framework, Uruguay ratified IACAC in 1998 and boosts a regulatory system which addresses most points in UNCAC. In recent years the country has focused on employing tools that enhance the implementation system (i.e., creating courts and training prosecutors specialized in organized crime).

However, in terms of enforcement, there are difficulties surrounding the application of law into practice due to a shortage of resources. As a result, the independence of law enforcement officials and the transparency of the entire system is affected. This means that Uruguay does not possess the necessary resources to carry out the most effective investigations and consequently, submit data to allow civil society monitoring. To mitigate these discrepancies, the report highlights several priority area recommendations—namely the implementation of a publicly accessible system that hosts data concerning criminal proceedings, reconsidering the criminality of illicit enrichment, establishing more effective forms of deterrence to prevent corruption in the private sector, and lastly, developing state policies to raise awareness about preventing corruption for the public and private sectors.

Venezuela

Western Hemisphere / South America

CAPITAL Caracas	TERRITORY 882,050 km ²	POPULATION (2014) 28,435,943.00	GDP TOTAL (2014) \$482.4B USD	GDP PER CAPITA (2020) \$16,055.64 USD	INCOME GROUP unknown
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Convention Implementation

61.0

In progress

19th of 31 western hemisphere
9th of 12 South American countries

Prevention

44.6

In progress

Criminalization and law enforcement

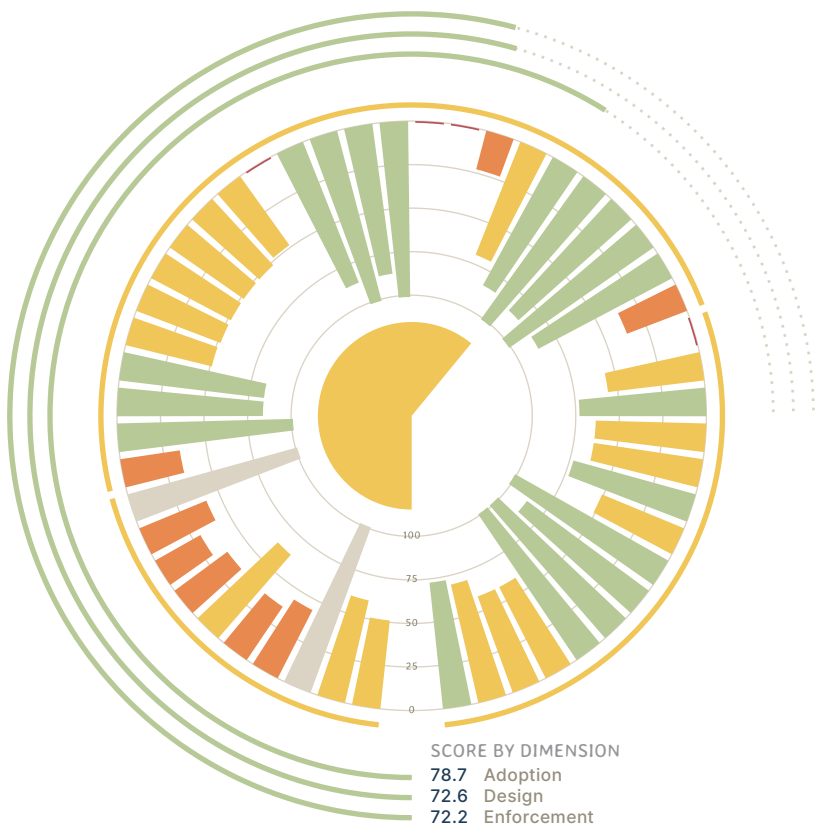
62.1

In progress

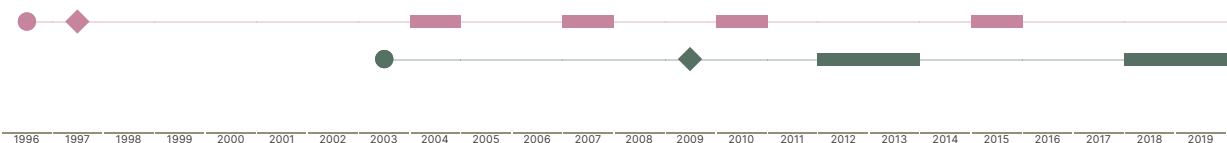
International cooperation

67.7

In progress



Anti-corruption conventions timeline



CONVENTIONS

IACAC - Inter-American Convention Against Corruption

UNCAC - United Nations Convention against Corruption

OECD Anti-Bribery Convention

KEY EVENTS

○ Signed

◇ Ratified/ acceded

□ Review rounds

Prevention

In progress

44.6

✓ Adoption 71.9 ✎ Design 60.4 ⚙ Enforcement 64.6

Standards of Conduct

In progress

50.0

✓ 75.0 ✎ 66.7 ⚙ 66.7

Enforcement of Standards of Conduct

In progress

59.4

✓ 75.0 ✎ 83.3 ⚙ 66.7

Training of Public Officials

Not applicable

✓ N/A ✎ N/A ⚙ N/A

Asset and Conflicts of Interests Declarations

Core-deficient

43.0

✓ 50.0 ✎ 50.0 ⚙ 83.3

Transparency in Government Contracting

Core-deficient

35.9

✓ 50.0 ✎ 50.0 ⚙ 66.7

Elimination of Favorable Tax Treatment

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Oversight Bodies

Core-deficient

36.7

✓ 100.0 ✎ 50.0 ⚙ 50.0

Measures to Deter Domestic and Foreign Bribery

Core-deficient

28.9

✓ 50.0 ✎ 50.0 ⚙ 50.0

Encouraging Participation by Civil Society

Core-deficient

40.6

✓ 75.0 ✎ 50.0 ⚙ 66.7

Study of Other Preventive Measures

Not applicable

✓ N/A ✎ N/A ⚙ N/A

Criminalization and law enforcement

In progress

62.1

✓ Adoption 76.0 ✎ Design 69.3 ⚙ Enforcement 75.3

Protection of Those who Report Acts of Corruption

Core-deficient

33.6

✓ 75.0 ✎ 50.0 ⚙ 50.0

Scope

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Jurisdiction: Offense-in-Territory

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Jurisdiction: Offense-by-National

Implemented

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Jurisdiction: Offender-in-Territory

In progress

50.0

✓ 50.0 ✎ 50.0 ⚙ 100.0

Passive Public Bribery

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Active Public Bribery

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Abuse of Functions

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Money Laundering

In progress

50.8

✓ 100.0 ✎ 83.3 ⚙ 50.0

Participation and Attempt

In progress

47.7

✓ 75.0 ✎ 83.3 ⚙ 50.0

Active Foreign Bribery

No implementation

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Illicit Enrichment

Implemented

85.9

✓ 100.0 ✎ 100.0 ⚙ 83.3

Use of State Property

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Illicit Acquisition of a Benefit

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Public Embezzlement

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Passive Foreign Bribery

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Bribery

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Private Embezzlement

21.9

✓ 50.0 ✎ 16.7 ⚙ 100.0

Obstruction of Justice

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Liability of Legal Persons

82.8

✓ 75.0 ✎ 83.3 ⚙ 100.0

Statute of Limitations

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Prosecution, Adjudication and Sanctions

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Consequences and Compensation

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Cooperation With Law Enforcement

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Asset Recovery

35.9

✓ 50.0 ✎ 33.3 ⚙ 100.0

International cooperation

In progress

67.7

✓ Adoption 86.7 ✎ Design 84.4 ⚙ Enforcement 71.1

Assistance Without Criminalization

0.0

✓ 0.0 ✎ 0.0 ⚙ 0.0

Inclusion in Extradition Treaties

54.7

✓ 50.0 ✎ 83.3 ⚙ 66.7

Convention as Legal Basis for Extradition

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Automatic Application Without Treaty

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Prosecution Without Extradition

In progress

62.5

✓ 100.0 ✎ 83.3 ⚙ 66.7

Custody

In progress

71.9

✓ 100.0 ✎ 100.0 ⚙ 66.7

Assistance

In progress

50.0

✓ 75.0 ✎ 66.7 ⚙ 66.7

Impossibility of Claiming Bank Secrecy

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Limited Use of Information

Implemented

85.9

✓ 100.0 ✎ 83.3 ⚙ 100.0

Nature of Act

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Designate Central Authorities

Implemented

100.0

✓ 100.0 ✎ 100.0 ⚙ 100.0

Responsibilities of Central Authorities

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Communication Between Central Authorities

In progress

57.8

✓ 100.0 ✎ 100.0 ⚙ 50.0

Special Investigative Techniques

In progress

68.8

✓ 75.0 ✎ 66.7 ⚙ 100.0

Technical Cooperation

In progress

71.9

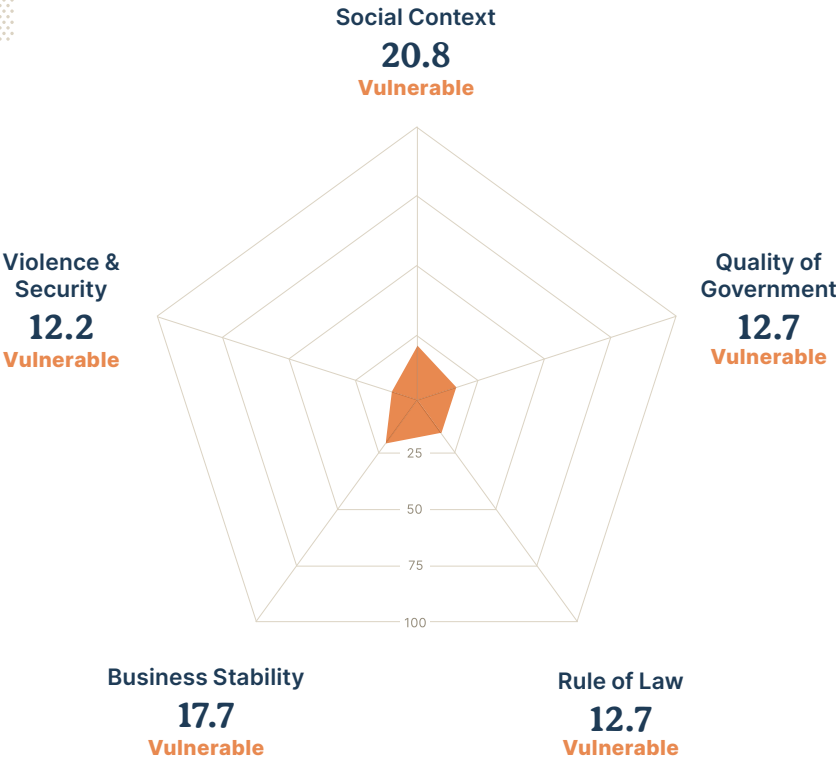
✓ 100.0 ✎ 100.0 ⚙ 66.7

Corruption Resilience

15.2

Vulnerable

31st of 31 western hemisphere
12th of 12 South American countries



Analysis

Convention Implementation

Venezuela signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on May 22, 1997. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2001. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on February 2, 2009. Accordingly, Venezuela has undergone four rounds of review under MESICIC (the fifth round of review was reportedly postponed for reasons of force majeure), and one round of review under the UNCAC review mechanism.

Venezuela's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes but also a modicum of failures. With an overall score of 61.0, the measures adopted place the country at the lower middle point of compliance with international norms, surrounded by Haiti (58.2), Paraguay (60.8), Bolivia (62.7), and Panama (63.5). Although the country evidences a gradual increase in the rate of success from one section of measures to the other, the difference is not significant enough to bring special attention to the distribution of efforts. Overall, Venezuela's efforts are considered to be well distributed across the three sections, with roughly two fifths of all measures reviewed found to be in progress. Yet, as is the case throughout the region, the prevention of corruption receives a lower score (44.6) than both criminalization and law enforcement (62.1) and international cooperation (67.7).

The prevention of corruption is deficient but not totally lacking, classified as "in progress" by its average score and with a majority of measures found to be deficient, including transparency in government contracting (35.9), the state of oversight bodies (36.7), and the systems for registering asset and conflict of interests' declarations (43.0), among others. Indeed, preventive measures account for almost half of all failing measures in Venezuela. Three measures are considered to be in progress: the adoption of standards of conduct (50.0) and their enforcement (59.4), and the elimination of favorable tax treatment for corrupt expenditure (62.5). No measure in this section is classified as fully or largely unimplemented.

In terms of criminalization and law enforcement, Venezuela shows better results than those regarding prevention, although a few significant issues remain. The country has deficiently criminalized embezzlement in the private sector (as required by

UNCAC) (21.9) and has not adopted sufficient protection for those who report acts of corruption (i.e., whistleblower protection) (33.6) or taken sufficient actions to pursue asset recovery (35.9). Concerning whistleblower protection, the UNCAC review mechanism states that "[t]here is no specific law for the protection of reporting persons." Moreover, three important measures remain fully unimplemented: the criminalization of active and passive bribery of foreign officials and bribery in the private sector. Other measures remain in progress, including those pertaining to active and passive public bribery, the abuse of functions, and money laundering—all of which receive a score of 50.8 due to limitations in their legal features and absence of statistical information on the results of their enforcement—among others.

Venezuela is found largely compliant in its commitments to establish jurisdiction over the offenses covered by the conventions. However, the UNCAC review mechanism reports some issues concerning the country's jurisdiction "over offenses committed by one of its nationals or by a stateless person who has his or her habitual residence in its territory...; over acts of participation and attempt committed abroad in money-laundering offenses...; as well as over the offenses established under the Convention when the alleged offender is present in its territory and it does not extradite him or her". The country also shows reasonable progress in its commitments regarding international cooperation, with an average section score of 67.7.

Corruption Resilience

Venezuela's social context indicator score declined by 1.7 points from the previous year. The country is one of the lowest performing along with Cuba and Nicaragua, where it was 44.1 points below the Western Hemisphere average of 64.9 for 2020. Since 2010 the country's score has declined due to the complete breakdown of the democracy in 2017. Venezuela falls within the bottom percentile for the Western Hemisphere region for the entire decade. During the decade, the minimum and maximum scores for Venezuela were 20.8 (2020) and 39.7 (2010), with a range of 18.9 points. Venezuela's social context indicator score for 2020 is primarily because of the country's authoritative regime and widespread corruption. Thus, civil liberties and political rights are not respected. The media, for example, consists of state-dominated media and independent media outlets, where the latter is a minority within the government and is severely restricted. The independent media outlets in Venezuela constantly face

intimidation, threats, harassment, and violence when they criticize the government and its activities.

The country's quality of government indicator for 2020 declined by 1.6 points from the previous year. Venezuela's indicator score is one of the lowest in the Western Hemisphere countries and South American countries, and the country is below the Western Hemisphere average of 50.6 by 37.9 points for 2020. Again, the country's indicator score falls within the bottom percentile for the Western Hemisphere in 2020 and throughout the decade. The country has consistently been the lowest-performing country, where it attained the lowest indicator score in 2020 with 12.7 and the highest indicator score in 2014 with 26.0, with a range of 13.3 points. Venezuela's government indicator for 2020 is mainly influenced by the breakdown of democracy and widespread corruption within the country.

Venezuela's rule of law indicator declined by 1.1 points from the previous year. Throughout the decade, the country's rule of law has been consistently low, where it's below the Western Hemisphere average of 51.1 by 38.4 points for 2020. The country has attained the highest indicator score in 2011 of 24.8 and its lowest indicator score in 2020, with

a range of 12.1 points. Again, Venezuela is the lowest ranking for both the region and subregion. Venezuela's rule of law indicator is mainly because of the complete lack of judicial independence and politicization. A 2020 United Nations reports stated that the complete lack of judicial independence makes it impossible for the courts to protect human rights.

The country's business stability indicator for 2020 increased by 0.8 points from the previous year. Once again, the country was below the Western Hemisphere average of 50.5 by 32.8 points for 2020. Throughout the decade, the country's score varies and was consistently low, where it attained its highest indicator score in 2012 with 23.5 and its lowest indicator score in 2020, with a range of 5.8 points. The country's indicator score is attributed to the completely inadequate regulatory system that governed the private business sector.

Venezuela's violence and security indicator score for 2020 declined by 1.2 points from the previous year. Between 2016 and 2017, the country experienced a 17.6-point decline, attributed to democratic fragility and eventual breakdown. The country was below the Western Hemisphere average of 55.0 by 42.8 points for 2020.



The report was prepared by Yuliya Zabyelina, Nicole Kalczynski, Joseph Pozsgai-Alvarez, Patty Zakaria, and Ozden Gul.

The views, thoughts, and opinions expressed in the report belong solely to the authors and do not necessarily reflect the views of John Jay College of Criminal Justice or the City University of New York (CUNY).

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