

Guyana

Western Hemisphere / **South America**

CAPITAL Georgetown	TERRITORY 196,850 km ²	POPULATION (2020) 786,559.00	GDP TOTAL (2020) \$5.471B USD	GDP PER CAPITA (2020) \$6,955.93 USD	INCOME GROUP Upper middle income
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Convention Implementation



In progress

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

Prevention



Core-deficient

Criminalization and law enforcement

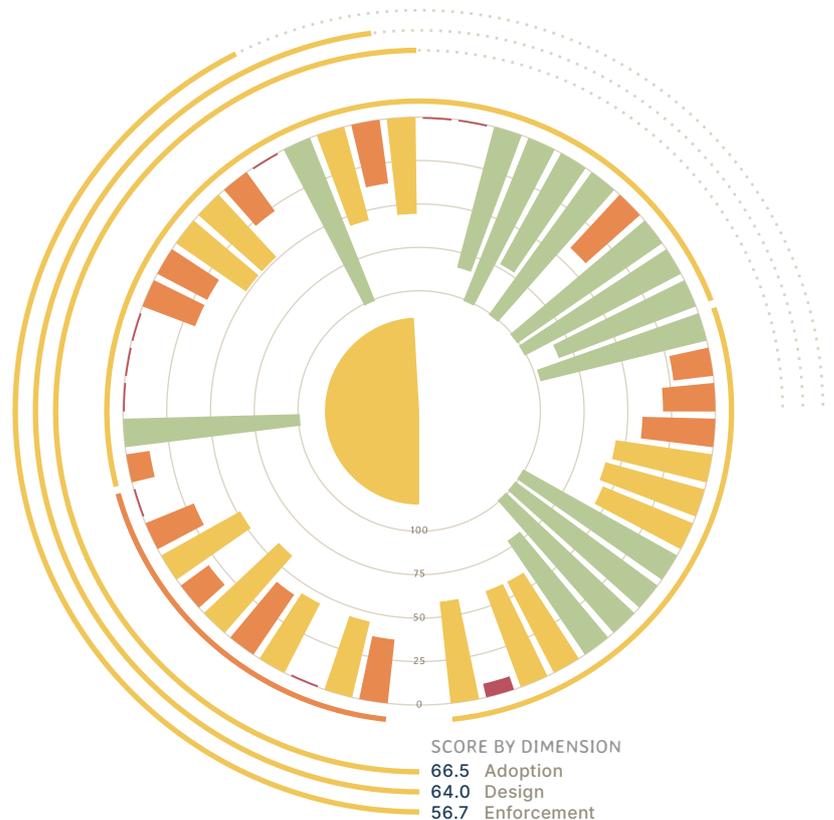


In progress

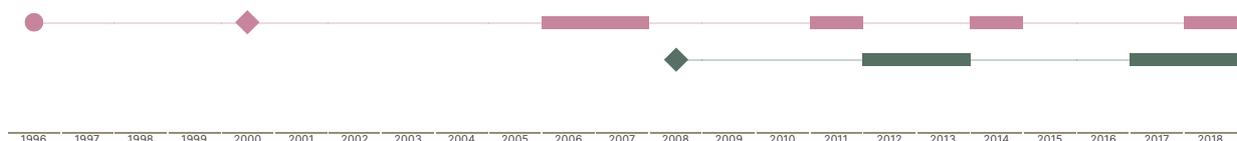
International cooperation



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

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

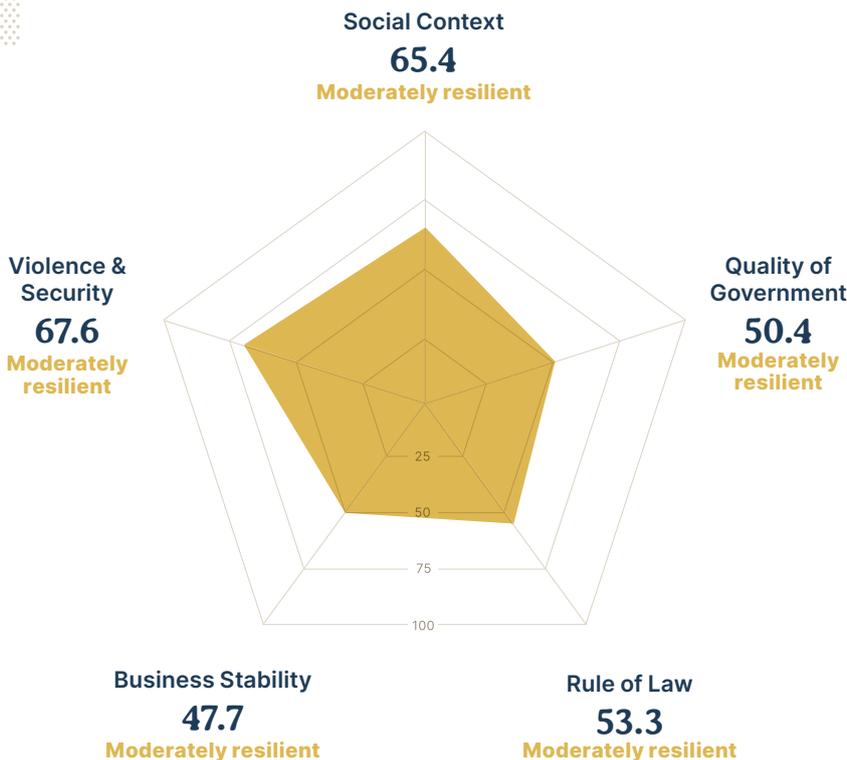


Corruption Resilience

56.9

Moderately resilient

15th of 31 western hemisphere
5th 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.