

Corruption in the Caribbean (a US perspective)



Introduction

The United States State Department's *Country Reports on Human Rights Practices* ("country reports") strive to provide a factual and objective record on the status of human rights worldwide. The 2021 country reports were published on 12 April 2022.

Section 4 of the country reports provides an assessment of Corruption and Lack of Transparency in Government which addresses the extent to which a country's law provides criminal penalties for corruption by officials and the level of implementation of these laws.

While 2021 scores for Caribbean countries published by Transparency International in their 2021 Corruption

Perceptions Index (CPI) report reveal material variations in anti-corruption performance, all Caribbean countries generally have criminal penalties for corruption by officials. The level of implementation of these laws, however, varies considerably. Inconsistent or ineffective implementation of penalties for corruption was reported in seven countries. Further discussion on corruption trends in Caribbean countries is provided [here](#).

Details of the overview comments for Caribbean countries in the 2021 country reports are provided below.

[Antigua and Barbuda](#)

“The law provides criminal penalties for corruption by officials, but full implementation of the law was hindered during the pandemic. Media reported several allegations of corruption against officials during the year. Media and private citizens reported government corruption was widespread and endorsed at the highest levels of government.”

[Bahamas](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There was limited enforcement of conflicts of interest related to government contracts. There were reports of government corruption during the year where officials sometimes engaged in cronyism and accepted small-scale “bribes of convenience” with impunity.”

[Barbados](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. In October the government passed the Prevention of Corruption Act, which provides for the prevention, investigation, and prosecution of acts of corruption, and applies to persons in both the public and private sectors. There were no reports of government corruption during the year.”

Belize

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.”

Cuba

“The law provides criminal penalties for corruption; however, the government did not implement the law effectively. There were numerous reports of government corruption, supported by a poorly regulated and opaque banking sector. The government was highly sensitive to corruption allegations and often conducted anticorruption crackdowns.”

Dominica

“The law provides criminal penalties for corruption by officials, but the government implemented the law inconsistently. According to civil society representatives and

members of the political opposition, officials sometimes engaged in corrupt practices.”

Dominican Republic

“The law provides criminal penalties for corruption by officials, and in a change from previous years noted by independent observers, the government generally implemented the law effectively. The attorney general investigated allegedly corrupt officials.

NGO representatives said the greatest hindrance to effective investigations was traditionally a lack of political will to prosecute individuals accused of corruption, particularly well connected individuals or high-level politicians. Under President Abinader, however, the attorney general pursued a number of cases against public officials, including high-level politicians and their families, mostly from the previous administration but also including members of the current administration. Nonetheless, government corruption remained a serious problem.”

Grenada

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated allegations by the political opposition and some members of media regarding government corruption during the year, but none proved credible.”

Guyana

“The law provides for criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year, and administration officials investigated these reports. There remained a widespread public perception of corruption involving officials at all levels and all branches of government, including the police and judiciary.”

Haiti

“The law criminalizes a wide variety of acts of corruption by officials, including illicit enrichment, bribery, embezzlement, illegal procurement, insider trading, influence peddling, and nepotism. There were numerous reports of government corruption, and a perception of impunity for abusers. The judicial branch investigated several cases of corruption during the year, but there were no prosecutions. The constitution mandates the Senate (vice the judicial system) prosecute high-level officials and members of parliament accused of corruption, but the body had never done so. The government’s previous anticorruption strategy expired in 2019, and as of October there was no formal anticorruption strategy.”

Jamaica

“The law provides criminal penalties for corruption by officials, but the government generally did not implement the law effectively. There were numerous reports of government corruption during the year, and corruption was a significant problem of public concern. Media and civil society organizations criticized the government for being slow and at

times reluctant to prosecute corruption cases.”

[Saint Kitts and Nevis](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. Media and private citizens reported government corruption was occasionally a problem.”

[Saint Lucia](#)

“The law provides criminal penalties for corruption by officials, and the government generally implemented these laws, but not always effectively. There were isolated reports of government corruption during the year.”

[Saint Vincent and the Grenadines](#)

“The law provides criminal penalties for corruption by officials, but the government did not always implement the law effectively.”

[Suriname](#)

“The law provides criminal penalties for corruption by officials, and the government implemented the law effectively at times. The 2017 Anti-Corruption Law, which was unanimously approved by the National Assembly, had not been implemented as of October, but authorities stated they were able to prosecute

cases of corruption based on existing law.

Corruption cases reported to the Attorney General's Office were investigated. There were numerous accusations from political opponents, civil society, and media that officials engaged in corrupt practices."

Trinidad and Tobago

"The law provides criminal penalties for corruption by officials, but the government did not enforce the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were credible reports of police and government corruption during the year."

Conclusion

The laws in Caribbean countries generally provide relatively robust criminal penalties for corruption by officials.

The above-mentioned country reports, however, reveal there are currently significant variations in Caribbean government efforts to implement legislation covering criminal penalties for corruption.

Corruption in the Pacific (a US perspective)



Introduction

The United States State Department's [Country Reports on Human Rights Practices](#) ("country reports") strive to provide a factual and objective record on the status of human rights worldwide. The 2021 country reports were published on 12 April 2022. These are available for fifteen Pacific countries.

Section 4 of the country reports provides an assessment of "Corruption and Lack of Transparency in Government" which addresses the extent to which a country's law provides criminal penalties for corruption by officials and the level of implementation of these laws.

Transparency International in their 2021 Corruption Perceptions Index (CPI) report did not include these Pacific countries:

- Kiribati

- Marshall Islands
- Micronesia
- Nauru
- Palau
- Samoa
- Tonga
- Tuvalu

The country reports therefore provide some guidance on corruption in the Pacific countries not included in Transparency International's 2021 Corruption Perceptions Index (CPI) report

Details of the overview comments for Pacific countries in the 2021 country reports are provided below.

[Australia](#)

"The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year."

[Fiji](#)

"The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. There were numerous reports of government corruption."

Kiribati

“The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. There were no reports of government corruption during the year. Officials sometimes engaged in corrupt practices with impunity.”

Marshall Islands

“The law provides criminal penalties for corruption by officials, and although the government generally implemented the law effectively, officials sometimes engaged in corrupt practices with impunity. Freedom House reported that corruption was a chronic problem, particularly in foreign aid allocation, government procurement, and transfers, and that high-ranking public officials were rarely prosecuted for corruption.”

Micronesia

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively, but some officials reportedly engaged in corrupt practices with impunity. There were numerous anecdotal reports of corruption.”

Nauru

“The law provides criminal penalties for corruption by

officials, and the government generally implemented the law effectively. There were no reports of government corruption.”

New Zealand

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. The Serious Fraud Office and police investigate corruption. Allegations of corruption can be reported anonymously, and the law protects employees who make a report relating to their employers. Agencies such as the Office of the Controller and Auditor General, and the Office of the Ombudsman independently report on and investigate state-sector activities, acting as watchdogs for public-sector corruption. Only parliament can remove individuals, who are known as officers of parliament, from these positions. Several investigations into alleged irregularities within national and local politics were underway.”

Palau

“Government corruption was a problem, and the government took some steps to address it. The law provides criminal penalties for corruption of and by officials. The Office of the Special Prosecutor, an independent entity, is authorized to prosecute all acts of corruption in the government. There were isolated reports of government corruption during the year.”

Papua New Guinea

“The law provides criminal penalties for corruption by

officials; however, the government did not always implement the law effectively, and officials often engaged in corrupt practices with impunity. International civil society and human rights groups termed corruption “widespread” and “pervasive.” There were numerous reports of government corruption during the year. Corruption was so serious a problem in part due to weak public institutions and governance, lack of transparency, politicization of the bureaucracy, and the social pressure of traditional clan obligations. Corruption and conflicts of interest were of particular concern in extractive industries, particularly the logging sector, and in government procurement.”

Samoa

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. The maximum penalty for corruption is 14 years’ imprisonment. There were isolated reports of government corruption during the year, mostly involving candidates for parliament offering bribes in exchange for votes. Officials infrequently engaged in corrupt practices with impunity. The law provides for an ombudsman to investigate complaints against government agencies, officials, or employees, including allegations of corruption. The ombudsman may require the government to provide information relating to a complaint. The Attorney General’s Office prosecutes criminal corruption cases on behalf of the Public Service Commission. The Ombudsman’s Office and the commission operated effectively. The Ombudsman’s Office included academics and other members of civil society among the members of its commissions of inquiry.”

Solomon Islands

“While the law provides criminal penalties for corruption by officials, the government implemented the law inconsistently, and officials sometimes engaged in corrupt practices with impunity. There were reports of government corruption during the year.”

Timor-Leste

“The penal code provides criminal penalties for corruption by officials. The government faced many problems in implementing the law, and the perception that officials frequently engaged in corrupt practices with impunity was widespread. The anticorruption commission (CAC) is charged with leading national anticorruption activities and has the authority to refer cases for prosecution; however, the CAC and the Prosecutor’s Office did not routinely cooperate with each other on investigations. Although the CAC is independent, the government controls its budget, making it vulnerable to political pressure. Institutions with the power and the competence to address corruption avoided investigations of politicians, government members, and leaders and veterans of the country’s independence struggle. The government undertook surprise inspections of government-run programs and increased pressure to implement asset-management and transparency systems.”

Tonga

“The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were reports of government corruption during the year.”

Tuvalu

“The law provides criminal penalties for some forms of corruption by officials such as theft, and the government generally implemented the law effectively. There were no reports of government corruption during the year.”

Vanuatu

“The law provides criminal penalties for corruption by officials, and the government made some efforts to implement the law. Officials sometimes engaged in corrupt practices with impunity, and there were reports of government corruption.

The Office of the Ombudsman and the Auditor General’s Office are key government agencies responsible for combating government corruption.”

Conclusion

The laws in most Pacific countries provide relatively robust criminal penalties for corruption by officials.

The above-mentioned country reports, however, reveal there are currently significant variations in Pacific government efforts to implement legislation covering criminal penalties for corruption.