



Executive SUMMARY

THE LATIN AMERICA ANTI-CORRUPTION ASSESSMENT 2021-2022 is the second edition of a regional study for seventeen countries that maps legal efforts to prevent and combat corruption.

Unlike efforts made by other studies that focus on measuring corruption or the perception of corruption, this study uses legal practice as a basis for making a diagnosis of legislation, authorities and implementation to prevent, punish and combat corruption. This document captures the views of anti-corruption practitioners in various sectors, including law firms, companies, academia, civil society organizations, human rights defenders, among others.

Using information obtained from members of the [Lawyers Council for Civil and Economic Rights](#), allied law firms and the legal community of participating countries, the **final rating** was calculated on a scale of zero (0) to ten (10), where zero is the lowest rating and ten is the highest rating.



REGIONAL ANALYSIS

- No significant progress was detected in the countries analyzed in the previous edition of the Evaluation (2020). On the contrary, some setbacks in independence and capacity of authorities were detected in [Guatemala](#), [Mexico](#) and [Peru](#).

Legislative efforts without action to strengthen institutions and improve implementation are ineffective.

- There has been no political will to match legislative efforts with policies to strengthen institutions and their capacity to implement rules, including providing

material independence and sufficient resources. In one third of the countries analyzed, the legal community considers that the authorities have no independence, and in half that they have no capacity.

- [Uruguay](#) and [Chile](#), the two countries best qualified in authorities and implementation, are not the countries that have the most robust legal framework to fight corruption.
- Countries that stand out in the category of legislation ([Mexico](#) and [Peru](#)) have low ratings for the category of authorities and implementation.



- The lack of political will to fight corruption has led to non-existent anti-corruption efforts in countries such as **Venezuela**, or to see regressive policies such as **Guatemala**, **Honduras** or **El Salvador**.

Many anti-corruption efforts are focused on penalizing, but not on establishing effective mechanisms to prevent or report corruption.

- Prevention policies in the public sector, if they exist, are weak and ineffective.
- In most countries, there is no regulation to establish anti-corruption mechanisms for private-sector enterprises, and if there are, there are no guidelines for compliance and monitoring.
- In half of the countries, there are insufficient or missing mechanisms for protecting whistleblowers.

Many anti-corruption authorities are not independent and have no capacity

- The mechanisms for appointing counterparties, prosecutors and judges are often political, and are not based on the merit and capacity of individuals.
- Anti-corruption authorities do not have sufficient financial and human resources, training and technology to prevent and investigate acts of corruption.
- In most countries, coordination mechanisms between authorities do not exist, are not used, or are insufficient.

Society organizations need more support for their anti-corruption efforts

- In some countries, there is no regulatory framework for civil society participation in anti-corruption efforts, and the authorities do not take their initiatives into account.
- In some countries, there are formal or informal barriers to civil society participation. In **Venezuela**, **Guatemala**, **El Salvador** and **Mexico**, there are limits or acts of repression as a disincentive mechanism for investigating, discovering or reporting acts of corruption.

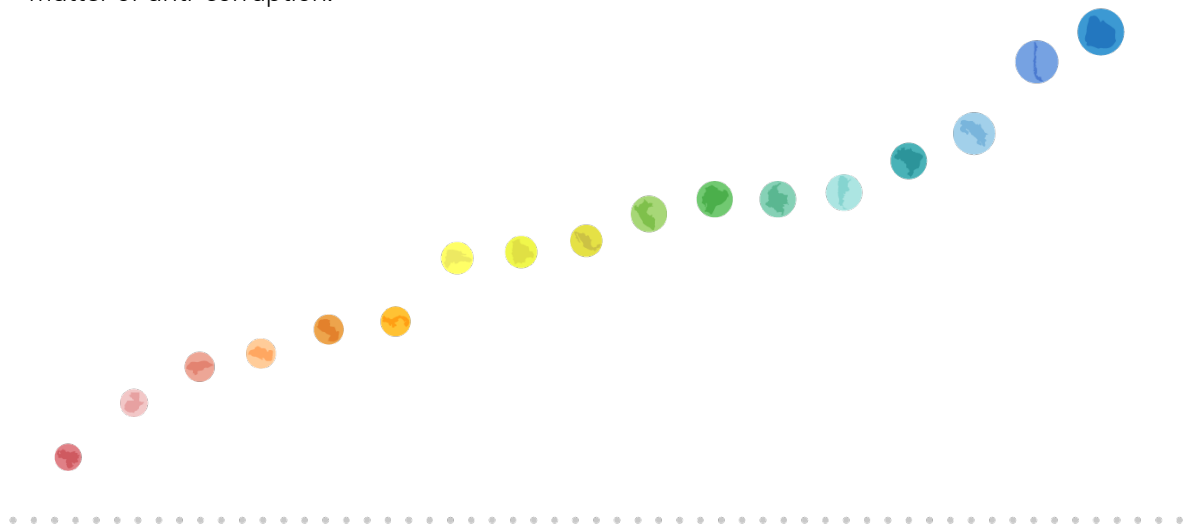
People in poverty and vulnerable conditions are most affected by corruption

- In no country is there a legislative human rights approach to fight corruption, affecting victims of corruption and the reparation for the violation of human rights by corruption.

RECOMMENDATIONS

The recommendations by country and at the regional level are a call for action from the legal community to meet the challenges mentioned, namely:

- ✓ The importance of promoting the development and use of technology to prevent corruption.
- ✓ The need for the involvement of the private sector in each country and at the regional level in order to promote the efforts of the legal community in the matter of anti-corruption.
- ✓ Promoting the regional cooperation of the legal community in anti-corruption efforts.
- ✓ To promote the creation of an Anti-Corruption rapporteurship within the Inter-American System of Human Rights.



COUNTRY	FINAL SCORE	LEGISLATION	AUTHORITIES	IMPLEMENTATION	COUNTRY	FINAL SCORE	LEGISLATION	AUTHORITIES	IMPLEMENTATION
Uruguay	8.36	8.43	8.33	8.33	Bolivia	5.50	8.17	3.76	5.17
Chile	7.96	8.71	7.50	7.83	Dominican Republic	5.45	7.94	4.17	4.67
Costa Rica	7.04	8.40	6.67	6.17	Panama	4.61	6.20	4.00	3.83
Brazil	6.70	8.28	6.16	5.83	Paraguay	4.53	6.99	3.33	3.67
Argentina	6.32	8.02	5.42	5.83	El Salvador	4.20	8.17	2.23	2.83
Colombia	6.20	8.72	4.58	5.83	Honduras	4.05	7.72	2.22	2.83
Ecuador	6.19	8.41	5.17	5.33	Guatemala	3.54	6.00	2.22	2.83
Peru	6.06	9.25	4.33	5.17	Venezuela	2.87	6.86	1.67	0.50
Mexico	5.64	9.30	3.50	4.83					

