

## Transparency International Anti-Corruption Helpdesk Answer

# The connections between corruption, autocracy and human rights in Latin America

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The relationship between corruption, autocracy and human rights can become a vicious circle, in which the deterioration of meaningful democracy allows corruption to go unchecked, which in turn facilitates human rights abuses that further cement authoritarian modes of governance. In the Latin American region, three countries were classified in prominent governance indices as non-democracies in 2021: Cuba, Nicaragua and Venezuela. Of these, Cuba performs considerably better in Corruption Perceptions Index (CPI) than the other two countries. A review of the available literature suggest that this might be partly the result of the island nation's state capacity, which allows it to better control what happens inside its borders, including petty corruption.



# Query

What is the relationship between corruption, autocracy and human rights? How do the three non-democratic countries in Latin America fare in that regard?

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## Background

Over the last decade, the world has witnessed democratic backsliding in an unprecedented number of countries (Transparency International 2018; Idea 2021: 6). Indeed, as of 2021, it is estimated that around 70 per cent of the world's population now live in non-democratic or democratically backsliding countries and only 9 per cent of the world live in a high-performing democracy (Idea 2021: 6). Democratic backsliding refers to the incremental erosion of democratic institutions leading to a more authoritarian regime, instead of a classic coup d'état (Haggard & Kaufman 2021: 1), and 2020 marked the fifth year in a row where the number of countries moving towards authoritarianism is about three times the number of countries moving in the other direction (Idea 2021: 3).

Against this backdrop, it has become increasingly urgent to understand the relationship between

## Main points

- Although intuitively it would seem logical that autocratic countries typically fare worse in international corruption indices, the picture is in fact more complex. In Latin America, one of the three non-democratic regimes, Cuba, performs notably better in the CPI than the other two non-democracies, Nicaragua and Venezuela, and even scores better than some of its more pluralistic democratic neighbours.
- There is some indication that Cuba's high state capacity might allow the government to exert more control over what happens in its territory, including by restricting petty corruption happening at the street level.
- Both authoritarianism and corruption are detrimental to human rights. Corruption can enable human rights abuses by undermining the capacity of the state to respect, protect and fulfil human rights and by enabling autocrats to escape the consequences of their actions.

corruption and democracy, and particularly how constituent elements of democratic governance, such as the rule of law, could help buttress countries against the pernicious effect of corruption. An associated concern is the spillover effect that corruption and authoritarian modes of rule have on human rights.

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The deterioration of democracy is almost always accompanied by an increase in corruption since many of the constitutional elements of a democracy, like rule of law, independence of powers, political and civil rights, erode with it, leaving corruption space to flourish (Drapalova 2019). This could become a vicious cycle. As institutions become more corrupt and authoritarian regimes consolidate, it can become harder to disrupt this symbiotic relationship as corrupt individuals will have much to lose should the regime democratise and corrupt figures from the previous regime be held to account.

In authoritarian contexts, the tactical deployment of human rights abuses, such as violent repression, often serves political ends, helping those in power consolidate their control. Kleptocratic regimes in particular have incentives to cow potential sources of opposition into submission through violent human rights abuses to cover up corrupt schemes.

Such questions are particularly pertinent in the Latin American region, where Cuba's Corruption Perception Index (CPI) score is much higher than those of Nicaragua or Venezuela, despite being controlled by a consolidated authoritarian regime for a much longer period of time.

To better understand the complexities and nuances of the relationship between regime type and control of corruption, this paper first considers the existing literature on the subject before briefly sketching some plausible explanations for Cuba's apparent success in limiting public sector corruption. Next, the paper turns to cover in more depth the situation in the three countries commonly viewed as the least democratic in the Latin American region: Nicaragua, Cuba and Venezuela. The document ends with a brief consideration of El Salvador and Honduras as countries to watch in the region.

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<sup>1</sup> A more detailed discussion on the multi-dimensional nature of democracy and its relationship with corruption can be found in Drapalova, E. 2019. [Corruption and the](#)

## Corruption, authoritarianism, and human rights

*“Corruption enables both human rights abuses and democratic decline, and in turn these factors lead to higher levels of corruption, setting off a vicious cycle.”*

- CPI 2021

It seems almost self-evident that, at least relative to more democratic societies, authoritarian regimes are likely to have a poor track record when it comes to promoting human rights and curbing corruption. Most democracies are centred on the principle of equality, both before the law and in terms of suffrage: one citizen, one vote.<sup>1</sup>

Conversely, in an authoritarian setting in which there are few means for most citizens to hold those in power to account, it is reasonable to expect that political leaders are more likely to represent the interests of a narrow clique around themselves. Those in power in such societies often pursue a narrow goal of self-enrichment and consolidation of political power in a highly corrupt manner. Corruption can be the mechanism through which autocrats enrich themselves (Amundsen 1999: 4).

Previous studies of the relationship between corruption and democracy have concluded that a deterioration in the quality of democracy can result in greater opportunities for corruption, while high levels of corruption provide those in power with an incentive to reduce democratic freedoms to suppress scrutiny and dissent (Drapalova 2019: 7).

By the same token, the high levels of corruption and lack of independent institutions that frequently

[Crisis of Democracy](#), Transparency International Helpdesk Answer.

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characterise authoritarian states hardly provide fertile ground for democratic consolidation (the Economist Intelligence Unit 2021, 8).

However, the relationship between the control of corruption and extent of democracy is not entirely linear or predictable. While most countries that are perceived to have a low level of public sector corruption are democracies, among low and middle-income countries the relationship between regime type and level of corruption becomes less clear cut (Kukutschka 2018: 3-4). In fact, several democracies score particularly poorly on the CPI, while there are a handful of non-democratic countries that have been able to control corruption relatively effectively (Drapalova 2019: 2).

Nonetheless, while some authoritarian regimes attempt to project an image of being tough on crime, as is notably the case in the Philippines (New York Times 2016), a regime in which the upper echelons remain beyond scrutiny is hardly compatible with the rule of law. Indeed, it seems logical that authoritarian regimes – often ruled by an autocrat who places themselves above the law – would experience high levels of (grand) corruption.

Moreover, in authoritarian states, tools to curb corruption and ensure transparency and accountability are typically either missing altogether or are used to persecute political adversaries, such as where anti-corruption campaigns target opponents with the goal of consolidating the regime's grip on power (Kukutschka 2018: 3). Pei (2009) likewise notes that systemic corruption can also serve to get rid of rivals, as it provides autocratic leaders with unrestrained discretion when deciding who to prosecute.

Thus, although authoritarian regimes might have the capacity to reduce certain types of corruption, particularly petty corruption, without democratic checks and balances on their power they are afforded plenty of opportunities to misappropriate public resources for their personal benefit.

Moreover, even if they have the capacity to curb petty corruption, they may lack the incentive to do so where dirty money is funnelled up through clientelist structures that go from street level extortion to the very top.

## Corruption and authoritarianism

In fact, corruption can become “a vital governing tool for authoritarian regimes” as these regimes depend on the support of certain groups, like the military, to survive, and authoritarian leaders must secure their support and loyalty by turning to bribes and granting them special privileges to do so (Pei 2009).

Corruption serves as an especially important instrument for aspiring autocrats if they are reticent to entirely discard the façade of democracy. Instead of using violent means to suppress opposition, potential opponents can be neutralised by buying them off. In Peru, for instance, Fujimori's regime built a vast corruption network through which they secured the votes of congressmen and the media's silence (RPP 2011; Cameron 2006; La República 2001; Aznárez 2001). Today, we see that in many parts of the world, creeping authoritarianism comes less from palace coups and more from a gradual hollowing out of democratic institutions and norms (CPI Global Messaging Theme; Haggard & Kaufman 2021: 1; Lührmann & Lindberg 2019: 1095, 1097; Bermeo 2016: 6).

Some of the differences in levels of corruption between non-democracies appear to be related to the characteristics of the regime. The work of Bueno de Mesquita et al. (2003) places great emphasis on the concept of the “winning coalition” and its relative size as a key determinant of a leadership's political survival.

The “winning coalition” is the group that controls political power, which in democracies is comprised of the voters who elected the government, while in non-democratic regimes the winning coalition is

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any group of people with enough control to keep a particular leader in office (Bueno de Mesquita et al. 2003: 7-8).

According to their theory, leaders can provide both private and public goods to their followers and fellow citizens. The members of the winning coalition are prioritised by the leader when it comes to the distribution of private goods, but these goods will become scarcer as the winning coalition becomes larger.

The winning coalition emerges from the “selectorate” and the size of the latter in relation to the former determines their loyalty to the leader. Autocracies usually have small winning coalitions with large selectorates, which ensures that supporters of the autocrat are particularly vested in his or her fate, as it is unlikely that they will be able to become part of a new government and thus have every incentive to continue supporting the current one and receiving goods in return (Bueno de Mesquita et al. 2003: 8).

Autocrats therefore turn to corruption to secure private goods for their cronies, and consequently, the cronies have little incentive to turn on their leader. In a democracy, on the other hand, the winning coalition is much broader, which makes it impossible for leaders to only provide private goods in exchange for loyalty, so they turn to the provision of public goods that benefit the population at large instead.

According to the authors, their theory predicts three drivers of corruption in small winning coalition systems, that is non-democratic regimes.

The first motive is that an autocratic leader depends on his or her supporters to remain in power, and has thus an incentive to provide them with private goods. Developing institutions that promote the rule of law and eliminate corruption is a public good that yields little benefit for the survival of the government in this context.

The second motive is that corrupt practices can function as a reward for the autocrat's supporters, who can misappropriate public resources for their personal benefit.

Finally, leaders might want to enlarge their own bank accounts or favour their own projects, and thus autocracies can turn into kleptocracies (Bueno de Mesquita et al. 2003: 102-103).

Chang and Golden (2010) have built on this theory and contend that the size of a leadership group also matters when it comes to the forms and extent of corruption in that country, because corruption can serve as an instrument to sustain political survival.

They posit that autocracies governed by a single individual may be especially susceptible to corruption because they have small “winning coalitions”, and the survival of the regime is thus especially dependent on the distribution of patronage and goods by the leader, who frequently accumulates these resources through corruption (Chang and Golden 2010: 18). Where access to public office and the benefits from said office rely solely on the discretion of an individual leader, this level of discretion brings with it a high risk of corruption (Chang and Golden 2010: 9; see also Geddes et al. 2014: 316).

Being inside the winning coalition in those situations has a considerable extra value due to the loyalty dividend in the form of private rewards, while being excluded from the coalition comes at a high price. This cohesion encourages the incumbents and the winning coalition to resort to oppressive and repressive measures that will prevent “outsiders” from reducing their privileges. This can lead to human right abuses, and the curtailment of civil liberties and freedom of expression (Bueno de Mesquita et al. 2003: 103).

Ultimately, the loyalty of the members of the winning coalition is the key determinant of the survival of the leader in power. This appears to be

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consistent with other observations. Kukutschka (2018: 7), for instance, considers that the most corrupt public officials will likely also be the most loyal as the regime tolerates or even encourages corruption as a means of rewarding its supporters by allowing them to participate in rent-seeking activities.

Autocratic governments can exercise different control over different offices and sectors (Zaloznaya 2015: 346). In Belarus, the autocratic government has tended to exert more control over sectors that they perceive as disloyal and tend to be more lenient to sectors they deem apolitical or non-threatening (Zaloznaya 2015: 346). In this scenario, disloyalty is punished through the enforcement of anti-corruption measures that prevent rent-seeking.

Lukashenka's government has tightened controls around universities, for instance, a sector perceived as hosting "politically active, pro-Western, or oppositional groups of citizens" (Zaloznaya 2015: 361).

The targeting can be even more precise, as in Venezuela, where the government neutralised a prominent and powerful figure in the state-run oil company when he became a nuisance (Transparencia Venezuela 2018: 21). Ramírez was in charge of Pdvsa for 12 years and several mismanagement allegations had already been raised by the civil society before being investigated and prosecuted for corruption (Transparencia Venezuela 2017). Although the government might appear to be tough on corruption, the authoritarian elite is not subjected to more accountability pressures (Zaloznaya 2015: 363-364).

Hollyer and Wantchekon (2015) also contend that autocrats have an incentive to exert differing degrees of control over corruption depending on the perceived loyalty of the official in question to the regime. They argue that although authoritarian leaders might turn a blind eye to corrupt schemes that enrich their supporters, they will implement

independent anti-corruption agencies to deter opportunistic individuals from seeking posts because they can gain corruption rents (Hollyer and Wantchekon 2015, 500). In such settings, the regime regulates opportunities for corruption in a way that generally results in securing the loyalty of corrupt officials when entrenching systems of graft (Hollyer and Wantchekon 2015: 501).

However, particularly at the level of petty corruption, it can be difficult to determine which corrupt schemes are actively controlled by relatively senior figures in the regime, and which extortive demands for bribes are the initiative of individual low-level officials. Not only are regimes never monolithic, but where there is low state capacity, the government might be simply unable to sanction corrupt behaviour even should it want to do so.

In many cases, a rise in bureaucratic or petty corruption has been documented in declining autocracies, where chaos reigns and widespread misappropriation of public resources further weakens the regime (Zaloznaya 2015: 350). In such scenarios, rampant bureaucratic corruption could be an indication that control is slipping out of the regime's hands (Zaloznaya 2015: 365).

## Corruption and human rights

Fundamentally, corruption affects human rights because corrupt acts favour private gain over public interests, which is invariably detrimental to the state's ability to act as an independent arbiter between interest groups, and thereby respect and uphold human rights in an unpartisan fashion (Manrique Molina 2019: 173).

Corruption is a common impediment to the realisation of citizens' human rights in everyday life, particularly when people they come into contact with the authorities (Andersen 2018: 186). It affects civil, political, economic, social and cultural rights (UNDP 2004: 10) and undermines the rule of law with a disproportionate impact on the freedoms and

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rights of poor and marginalised groups (Manrique Molina 2019: 173), particularly by denying them access to justice (Kumar 2011: 7).

Corruption can enable human rights abuses, both by undermining the capacity of the state to respect, protect and fulfil human rights and by enabling autocrats and human rights abusers to escape the consequences of their actions (CPI Global Messaging Theme).

Corruption can hinder the ability of a state to fulfil human rights in diverse ways. When public officials demand payments for services that should be free and to which citizens have a right to (Duri 2021: 6), those citizens' rights are not being properly fulfilled. Corrupt acts divert funds from much-needed services and infrastructure, resulting in poorer quality and more expensive public goods (della Porta and Vannucci 1997: 522-523), creating artificial scarcity that erodes the state's ability to meet the basic needs of its population and therefore unable to meet its human rights obligations (Chêne 2016, 2).

On the other hand, people might turn to corrupt practices to avoid the violation of their rights. People can be obligated to "cooperate with corrupt practices in order to survive, defend themselves and fend off threats to their lives and livelihood" (Andersen 2018: 183). Law enforcement officers, for instance, can threaten the use of violence to extort money and/or force confessions from people (Andersen 2015: 182-3; Kumar 2011: 29).

As such, human rights violations often go hand-in-hand with corruption. In Mexico, for instance, the excessive use of force by police officers can be linked to various forms of police corruption (Forné 2016). One type of corruption is aimed at obtaining personal benefits, while the other type of corruption is related to the execution of an institutional "mission" or the orders of commanding officers (Forné 2016: 12-13).

In the first type of corruption, police officers look for bribes, in the second type they are forcing confessions or planting evidence in an effort to deliver results that are expected of them or would help them advance their careers.

Other types of corruption are in and of themselves a human right violation. Sextortion, for instance, occurs when those entrusted with power use it to sexually exploit those dependent on that power (Transparency International 2020: 4; IBA 2019: 8). This form of sexual exploitation clearly violates basic human rights. Eliminating corruption is therefore generally conducive to the realisation of human rights.

## Corruption in autocracies in Latin America

This paper now considers in greater detail the relationship between corruption, authoritarianism, and human rights abuses in the three countries generally considered to be the least democratic in Latin America: Cuba, Nicaragua and Venezuela.

According to the latest iteration of Freedom in the World, Nicaragua and Venezuela have seen the biggest declines in the conditions for political rights and civil liberties in the Latin American region over the past 10 years, with Venezuela declining 28 points and Nicaragua 24 (Freedom House 2021: 6). The decline of Venezuela in this index has been particularly dramatic, with a 40-point decline in the freedom score in the last 15 years – a downward spiral that seems set to continue (Freedom House 2021: 5-7).

The indices measure much more than whether there are free and fair elections, and indeed these three countries perform poorly in almost all variables assessed.

For example, the indicator on checks on government that forms part of the Global State of Democracy Index suggests that Cuba, Nicaragua

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and Venezuela have some of the weakest constraints on executive power in the region, a good indicator of the poor rule of law in these countries.

**Table 1: Latin American countries categorised as authoritarian in prominent international governance Indices**

<b>Index</b>	<b>Nicaragua</b>	<b>Venezuela</b>	<b>Cuba</b>
Freedom in the World	30 – not free	14 – not free	13 – not free
Global State of Democracy Indices – IDEA	Authoritarian regime	Authoritarian regime	Authoritarian regime
Economist Intelligence Unit Democracy Index	Authoritarian regime	Authoritarian regime	Authoritarian regime

## Overview

For the first time in almost 60 years, the leadership of the Cuban government fell into the hands of someone outside the Castro family in 2018, when Miguel Díaz-Canel assumed office and committed to the political continuity of the communist regime (BTI 2020a).

Cuba remains an authoritarian regime with a single-party system, and there are no signs of political reform in the near future. There is no system of checks and balances in the liberal democratic sense, while civil rights are subordinated to the single-party system (BTI 2020a).

The Cuban economy has suffered in the last few years (BTI 2020a), and the situation was worsened by the COVID-19 pandemic. During the summer of 2021, the island saw the largest protests it had seen since the 1990s when thousands took the streets to demand food, medicine and freedom (Robles 2021). The protests were met with state repression, and hundreds were incarcerated for protesting (Robles 2021; Acosta 2021). Freedom of expression does not exist (BTI 2020a).

In Nicaragua, the Ortega administration has, since 2007, slowly co-opted and politicised the state. This strategy was rather successful, which in turn allowed Ortega to influence institutions and favour his party, Frente Sandinista de Liberación Nacional (FSLN) in the elections. Ortega also amended the constitution to be able to run indefinitely for president. By the 2016 presidential elections, the FSLN controlled the entire political system, making the country a competitive authoritarian state (BTI 2020b). Since then, Ortega's wife, Rosario Murillo, has become the vice-president, further concentrating power in their hands.

In 2018, Nicaragua saw massive protests explode against the Ortega government, triggered by a reform in the Nicaraguan Institute of Social Security. The protests quickly turned into a major

outburst of discontent against the presidential couple as the targeting of the "chayopalos" by the protesters makes clear. "Chayopalos" were seen as a symbol of Ortega and Murillo's government, steel sculptures that many considered an extravagance in a poor country (Villena Fiengo 2020, 16; AP News 2018). The government responded to the protests with violent repression by police and paramilitary forces which resulted in deaths and injuries. Human rights organisations put the number of deaths between 320 and 500 and the injured at around 2,000 people. However, the repression was not able to stifle the demand for change and the population's discontent with the Ortega administration only grew, as did the calls for his resignation. Ortega refused to concede and instead denounced the protesters for organising a coup attempt (BTI 2020b).

Ortega decided to run once more in the presidential elections in 2021, although most international observers did not consider these elections to be free or fair as the electoral register had been manipulated, the opposition persecuted, candidacies had been irregularly excluded and state resources were reportedly misused to promote Ortega (Urnas Abiertas et al. 2021).

The Nicaraguan government also raided one of the few remaining independent newspapers (The Guardian 2021) and continues to threaten other independent media outlets (BTI 2020b). The actual election, in which Daniel Ortega obtained 75 per cent of the votes, was condemned by the General Assembly of the Organisation of American States, which denounced it as not being "free, fair or transparent, and lack[ing] democratic legitimacy" (AP News 2021). While other pillars of democracy and nominally independent institutions had been systematically hollowed out in previous years, the 2021 elections were viewed by many observers as the nail in the coffin of Nicaraguan democracy (Urnas Abiertas et al. 2021).

Although Ortega has been successful in concentrating power, the Nicaraguan state is not a

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strong one. On the contrary, public administration is fragile and resources are scarce, which make policies difficult to implement (BTI 2020b).

Venezuela's democratic backsliding into an authoritarian regime has been in the making for quite some years. According to the V-Dem measures, the erosion began between 1998 and 2005, declining below the electoral democracy threshold from 2006, and since 2013 has relied more and more on repression (Haggard et al. 2021: 256). The official party was successful in packing all branches of power with loyalists, even before Maduro came into power, which allowed him to bypass a legislature dominated by the opposition as well to block electoral initiatives to replace him in office (BTI 2020c). Elections are no longer held according to legally established procedures and timetables, and instead are scheduled to take advantage of certain contexts; for example, the 2018 presidential election was postponed (BTI 2020c).

Control over voting is exerted via an electoral card issued by the ruling party, which people require to access subsidised food and other benefits (BTI 2020c). Social programmes to obtain free or subsidised food, medicine and other benefits have become political instruments to control the vote (Transparencia Venezuela). The creation of the Constituent National Assembly sought to ensure both the regime's grip on power and their ability to continue to operate without restraint by restricting citizen participation and access to public information, as well as facilitating the concentration of power in the hands of the executive (Transparencia Venezuela 2018: 73).

Elections are no longer free nor fair, and do not seem to serve as a mechanism for change. Demonstrations against the government have been systematically met with violent repression, which has left hundreds dead in recent years (BTI 2020c). The 2018 election, in which Maduro was re-elected, was neither recognised by the opposition nor by the international community (BTI

2020c). Moreover, Venezuela increasingly uses digital technology to repress journalists online (Idea 2021, 31), and freedom of expression is under permanent threat (BTI 2020c).

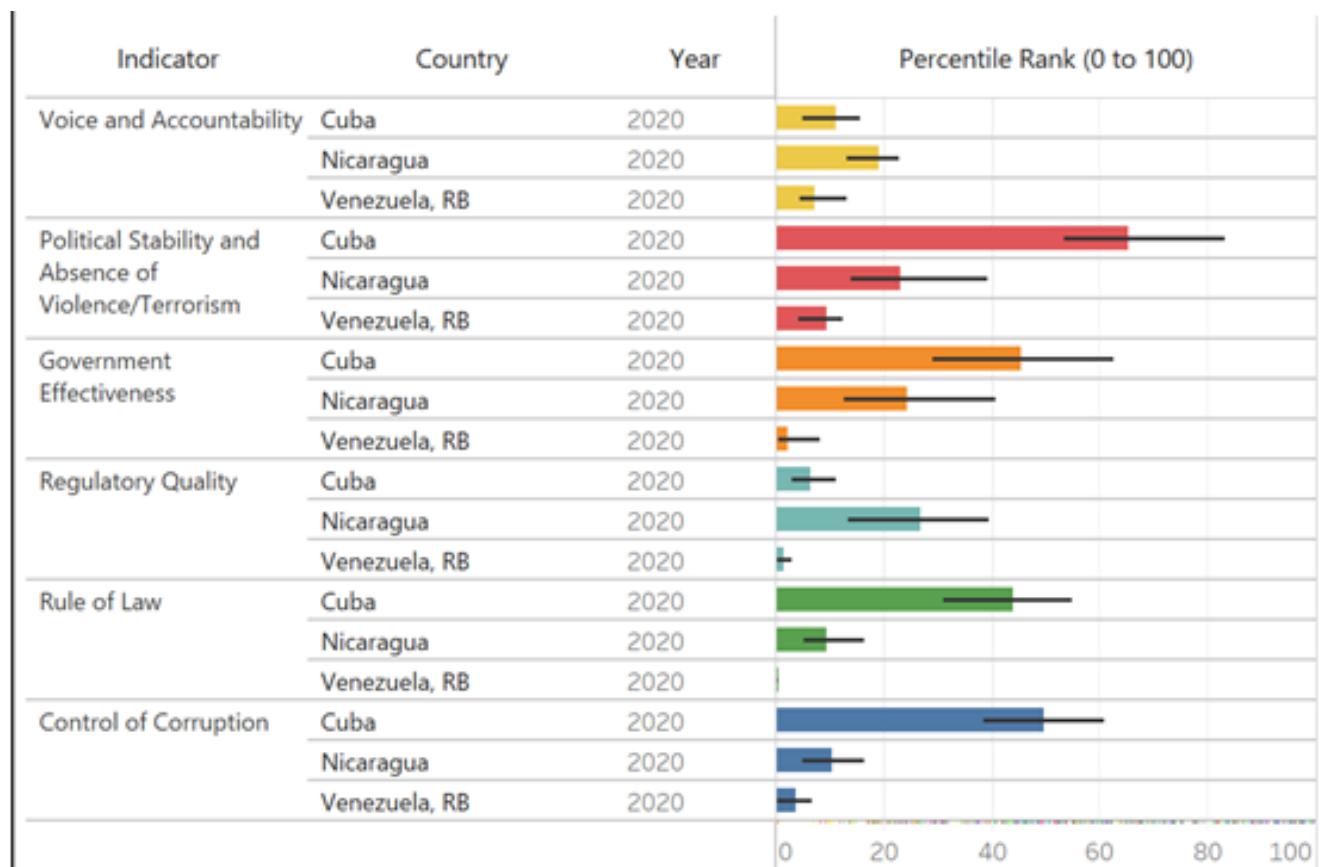
Although the military is deeply entrenched in the state and the government, the state no longer enjoys a monopoly of the use of force due to the rise of urban gangs and drug trafficking mafias, among others (BTI 2020c). Certain territories are no longer controlled by the Venezuelan state and are instead under the control of these groups, like the border state of Apure, which is controlled by cartels and military-political mafias (BTI 2020c).

Venezuela is undergoing a prolonged financial crisis, with one of the worst performing economies anywhere in the world (BTI 2020c). Poverty has increased sharply, which has allowed the leadership to tighten its grip on power through the management of handouts (BTI 2020c). This has led to the biggest external displacement crisis in Latin America's recent history, with more than 5.6 million refugees and migrants having left Venezuela due to the political, socio-economic and humanitarian crisis (IOM 2020).

## Why does Cuba control corruption better than other autocracies in the region?

This section of the paper pays particular attention to the apparent anomaly of Cuba, which despite being classified as an authoritarian regime by most international governance indices, appears to do better than several Latin American countries in terms of controlling corruption.

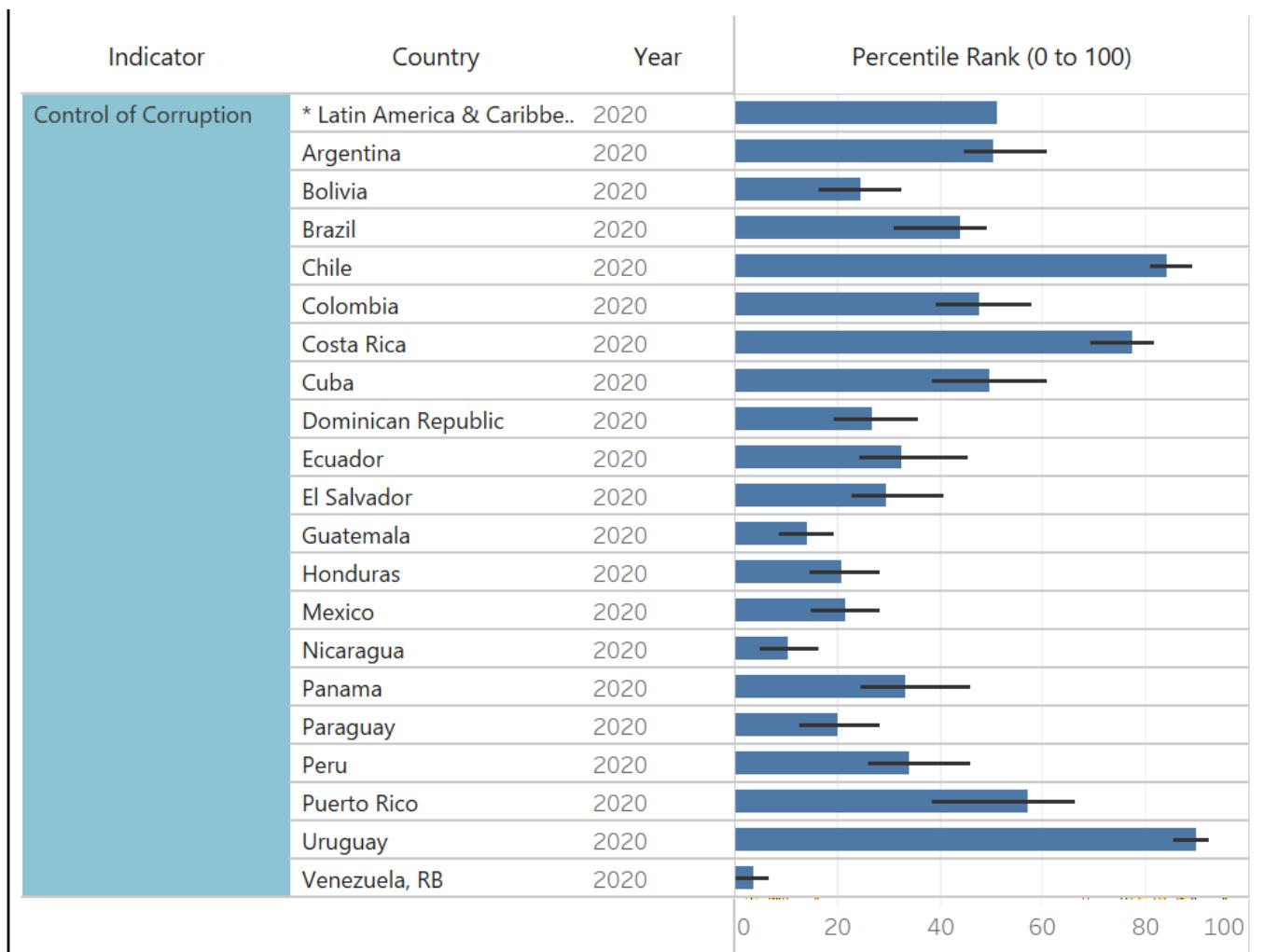
The country scores quite well on the [governance indicators](#) of the World Bank, particularly in terms of political stability, government effectiveness, control of corruption and rule of law. Graph 1 compares the three countries of interest:



Graph 1: World Bank – Worldwide Governance Indicators 2020.

Moreover, Cuba also fares reasonably well in terms of control of corruption when compared to

other countries in the region, regardless of regime type, as illustrated in Graph 2:



Graph 2: World Bank – Worldwide Governance Indicators.

It is clear that Cuba fares comparatively well on most governance indicators compared to other countries in the region, particularly the two other states typically perceived to be authoritarian regimes.

The country does relatively well in government effectiveness and rule of law. The first indicator measures the perceptions of the quality of civil

service and its independence from political pressures, whereas the rule of law indicator captures the perceptions that agents will abide by the rules of society and the quality of enforcement ([World Bank](#)).

Similarly, Cuba seems to have a relatively higher state capacity. According to the BTI index, Cuba has a pretty high “stateness”, with a 9.0 score,

whereas Nicaragua has 7.0 and Venezuela 6.5. In the monopoly of the use of force, Cuba scores a 10 (the only other country in the Latin American region to score that high is Uruguay), while Nicaragua scores 6 and Venezuela only 4 (BTI 2020a). The “stateness” criteria is comprised of the following indicators: monopoly of the use of force, state identity, no interference of religious dogma on state affairs and basic administration (BTI).

The Cuban regime has consolidated the state over 60 years, during which time the single-party system has led to the party being in charge of virtually all sectors of the economy and exerting tight control over everything that happens. For instance, the Cuban state is in charge of the provision of all public goods, although its capacity to do so and the quality of education and health have reportedly declined somewhat in recent decades (BTI 2020a).

Nonetheless, unlike Nicaragua, which has a weak public administration, and Venezuela, which has relinquished its role as the ultimate enforcer of the law, Cuba has a public bureaucracy and law enforcement capable of reigning in petty corruption. As the rule of law indicator shows, the law is expected to be enforced in Cuba.

The second part of the explanation refers to the characteristics of the authoritarian regime in Cuba. As discussed in the first section of this paper, one of the theoretical expectations is that authoritarian regimes governed by a single autocrat may be more prone to corruption than single-party states like Cuba in which the “winning coalition” of party members is comparatively large (Chang and Golden 2010: 3; Fisman and Golden 2017).

Furthermore, the stability of Cuba’s regime has likely both enlarged the winning coalition and made it difficult to imagine that a change of regime could happen in the short term. The government of Cuba has maintained regime stability even through important changes in leadership and always considered elite cohesion an imperative (BTI

2020a). With a low probability of being ousted, the theoretical insights from Bueno de Mesquita et al. (2003) would imply that the regime has relatively few incentives to permit its supporters to engage in corruption in exchange for their loyalty.

Pending deeper research, it thus seems plausible that Cuba’s relatively better control of corruption seems to be explained by the country’s decent performance on indicators such as the rule of law, government effectiveness, state’s capacity and tangible presence throughout the island.

## Country spotlight: Cuba

The closed nature of the Cuban regime makes it difficult to assess the true nature and extent of corruption in the country (Bak 2020: 2). But although it scores better in the CPI index than other countries in the region, petty corruption is still an issue, mostly in the form of bribery (Bak 2020: 4).

One possible explanation for this appears to be the discrepancies between salaries, prices and labour, (Arencibia Lorenzo 2020). Since public salaries are below what is needed to survive, Isla (2018) concludes that some public officials seek to cover the difference through bribes. Garcés Marrero (2020: 88) likewise argues that officials often try to make money on the side of their official jobs, either through bribes, extortion or the illicit use of state property.

Bribes can also take the form of gifts. While gifts used to be a form of “thanking” an official for a service provided, they are now a way to get a service and guarantee its quality (CiberCuba 2018). For example, the best way to access good health care is through paying or giving gifts to doctors and nurses (García 2018). One ethnographic account of a year in Havana describes the necessity of having bribes ready to speed up procedures (Garcés Marrero 2020: 86).

Recent corruption scandals have involved foreign investors bribing Cuban officials (Trotta 2014) as

well as corruption in larger enterprises. A report denounced corruption cases involving state enterprises, mixed businesses and state monopolies, like the telecommunications enterprise Etecsa. The cases included embezzlement, bribes, document falsification and transferring goods to the black market, among others (Radio Televisón Martí 2018). Odebrecht was also found to be involved in shady transactions involving Cuba, although whether senior Cuban officials collected bribes is not completely clear due to the obscure nature of the regime and those types of transactions (Hall and Gámez Torres 2019).

A large part of corruption in the country involves black markets and the underground economy. For example, in 2019 the diversion of 2.5 million litres of fuel was uncovered as part of a scheme that revealed the involvement of employees of the electric power plant (Figueroedo Reinaldo et al. 2019). Another lucrative business is the reselling of beer, which is now even conducted as a delivery service (Quiñones Haces 2021). There have been documented cases of state-owned trucks illegally moving hundreds of bags of rice and pasta, as well as other products (Arencibia Lorenzo 2020). Even in local markets, where the government has designated sellers, they have sometimes been caught hiding food to sell on the black market afterwards (Quiñones Haces 2021). These cases illustrate that public employees participate in this underground economy (Bak 2020: 5). In a society strictly controlled and regulated from above, in which the state has the monopoly to distribute practically all goods and services, cases of people reselling tonnes of foodstuffs can hardly have happened without the awareness and likely complicity of someone in the higher levels of public office (Arencibia Lorenzo 2020).

During the more pronounced shortages brought about by the pandemic in the last two years, the state deployed police officers to food selling points to bring order to the queues, but citizens complained that they were part of the problem

(Cardoso 2020) as police officers are involved in various forms of corruption, including turning a blind eye to illicit trade, receiving bribes from criminals and participating in the black market of goods (García 2020).

First with Raul Castro and now with Miguel Díaz-Canel, Cuba announced measures to curb corruption, which Raul Castro had equated with "counterrevolutionary" activity (Isla 2018).

The government relaunched the comptroller's office and has seen some success in this regard, with arrests on grounds of corruption and the imposition of disciplinary measures (Bak 2020: 8-9; BTI 2020a). The office has a seat on the Council of State (Ojeda Bello 2018). However, such cases are not tried in a transparent manner, which makes it difficult to evaluate if political motivations lie behind them or whether certain sectors and individuals are shielded from investigations (BTI 2020a).

Although there has been a vocal commitment to anti-corruption efforts, most cases have been focused on the "little fish" and not the "white collar" corruption at higher levels of office (Arencibia Lorenzo 2020). Moreover, political interference remains a frequent tool to secure favourable judicial outcomes (Bak 2020: 9). Regarding the black market, although current leader Díaz-Canel has vowed to end corruption and particularly to address the problem with resellers, citizens reportedly remain sceptical (Cardoso 2020).

Corruption affects human rights in Cuba in a number of ways. Corruption led to the crash of an aircraft with a death toll of over 100 (Isla 2018), neglecting the role the state has in securing its citizens' safety. The Cuban Civil Aeronautic Institute had been plagued with corruption scandals, including the irregular use of the fleet, suspicious purchase contracts and fraudulent ticket sales, which led the institute and its subordinated airlines to bankruptcy. The institute continued to operate with a lack of rigour, and a security document recommending not renting air vessels from Global

Air, the owner of the crashed aircraft, had been ignored before the accident (Isla 2018). Corruption has also led to the state itself abusing human rights, with police brutality increasing during the last 20 years and police officers being used to detain dissidents and independent journalists (Radio Televisión Martí 2016; García 2020). Pro-democracy movements were violently repressed in 2021 (IDEA 2021: 10). Multiple protesters were arrested and incarcerated (Robles 2021; Acosta 2021), and short-term arrests have long been used as a form of intimidation by the government (BTI 2020a). Cuba remains an authoritarian regime, and the state exerts considerable control over the media, leading to Cuba being among the 10 most censored countries in the world (Bak 2020: 11).

Lastly, the existence of black markets where goods the state vowed to allocate are exchanged at much higher prices violates the basic rights of the people who cannot access basic goods like food. If patients need to turn to bribes, whether monetary or in-kind, to get proper health care, their right to access health is violated (CiberCuba 2018). Something similar happens in education, where teachers also expect gifts to pay attention to students or even artificially inflate their grades (CiberCuba 2018).

## Country spotlight: Nicaragua

The political situation in Nicaragua has deteriorated rapidly since 2018. In a 2019 conference on Nicaragua, academics highlighted the erosion of democracy and the government's hoarding of employment opportunities, business and access to public services in favour of members of its ranks, allies and clientele (Villena Fiengo 2020: 15). The UN Committee on Economic, Social and Cultural Rights found troublingly high levels of corruption and impunity and a lack of independence and impartiality of the judiciary (News UN 2021).

The abuse of power as blurring the distinction between public office and personal affairs is probably best illustrated by the fact that Ortega made his wife his vice-president. The children of Ortega and Murillo have become key parts of government businesses (Expediente Público 2021). While corruption in Nicaragua naturally predates the current administration, the presidential couple appears to be consolidating its grip on power through cronyism and nepotism. According to observers, Nicaragua is becoming a sort of sultanate, where Ortega's family cogoverns with him (Latinobarometro 2021: 17). Indeed, some reports indicate that the reach of the Ortega-Murillo family is almost all-encompassing, with virtually no business being beyond the reach of the presidential family or their next of kin (Expediente Público 2021).

One of the major corruption scandals in recent years involved the decision to build an interoceanic canal and its opaque allocation to a Chinese enterprise. Ortega's government approved a law to facilitate the construction of the canal which violates several articles of the Nicaraguan constitution and international treaties (Hochleitner 2015: 4). The negotiations for the construction of the interoceanic canal were conducted without any transparency and the Chinese businessman with whom the concession was signed ultimately disappeared (Chamorro 2019). Everything surrounding the process raised alarms as the enterprise that was given the tender had been created shortly before that date in the Cayman Islands, had an initial capital of US\$400 and had no experience in an infrastructure project of those dimensions (Hochleitner 2015: 4).

The corruption of civil servants and a bureaucracy with rent-seeking behaviour are characteristic of the Nicaraguan state (Krylova 2016: 48). According to the latest Latinobarometro, 58 per cent of Nicaraguans consider the president and his officials are involved in corruption and 46 per cent of citizens believe the police is corrupt (La Prensa 2021; Latinobarometro 2021: 84). The latter seems

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to corroborate the finding that resources from the seizure of drugs and other drug related assets become part of the corruption circuit (OCC 2021: 23).

As the presidential couple continues to consolidate its power and co-opt the state for their personal benefit, it is difficult to foresee major reforms. Experts agree that the current government has no interest in countering corruption and are more focused on staying in power (Expediente Público 2021). The balance of power, checks and balances and Nicaraguan institutions have been slowly dismantled over the past decade (Expediente Público 2021). On top of that, there is little tradition of an independent judicial branch in Nicaragua, and efforts to control or influence the supreme court are frequent (Millet 2018: 389). The judiciary independent is on paper, but in practice, corruption is rampant in courts, which are also pliable in response to political influence (BTI 2020b; CIDH 2021: 40). Both the legislative and executive branches have been reportedly reluctant to rein in bureaucratic corruption (Krylova 2016: 48).

While some regulations to prevent corruption in public contracts exist, in practice, they are not enforced or, worse, are used to target the opposition or organisations that concern the regime (OCC 2021: 22). For example, the Law of Public Information Access is not enforced and it is extremely hard to access government information, not least as there appears to be no impetus beyond proactive transparency measures such as regularly updating government websites (Expediente Público 2021). Aggravating the situation, there is a legitimate fear of reporting corruption cases or even discussing them publicly as this could lead to harassment, persecution or incarceration (OCC 2021: 16).

Corruption in Nicaragua affects human rights in a number of ways. First, the state has failed to protect the human rights of its citizens, and activists that denounce the government are subject to harassment, aggression, threats and other

violent acts by government sympathisers (CIDH 2021: 57). The collusion of the justice system has also served to leave murders and violence by those with suspect ties to the Ortega government unpunished, particularly after the 2018 protests (BTI 2020b).

On its path to becoming an authoritarian regime, the Ortega government openly relinquished its commitment to respect human rights, through the violent repression of protesters, the curtailing of basic rights like freedom of speech and the suppression of the opposition. Paramilitary groups reportedly operate with the blessing of state authorities and work together with the police (CIDH 2021: 34). The Ortega government has also resorted to the arbitrary detention and criminalisation of political opponents, community leaders, human rights defenders and journalists (CIDH 2021: 51-52). Leading up to the elections in 2021 in particular, the Ortega administration detained presidential precandidates, social and business leaders and independent journalists, accusing them of committing crimes against national sovereignty or money laundering (CNN 2021). Recently, a UN committee expressed its concern about persecution and retaliation against human rights defenders for participating in protests or denouncing government irregularities (News UN 2021), while the judiciary has been complicit in the criminalisation of protesters (BTI 2020b).

Finally, corruption in the country has also eroded Nicaragua's responsibility to fulfil the human rights of its population. A good example relates to the rights of Indigenous Peoples as the state does not carry out prior consultation with Indigenous communities when it comes to investment and infrastructure projects, like the construction of the Gran Canal Interoceánico mentioned above (News UN 2021). The concession to build the canal was given without an open tender and without conducting prior consultation (Hochleitner 2015). The case is now in the Interamerican Human Rights Commission (Business Human Rights 2018) and its merits are being evaluated (CIDH

2020). The UN committee also warned about allegations that the state promoted the creation of parallel government structures to replace the Indigenous communities' own representative bodies (News UN 2021).

Nicaragua's transformation into an authoritarian regime required that the Ortega administration abused its power and violated the rights of its citizens. The electoral process of 2021 triggered a wave of government repression, which included the incarceration of possible presidential candidates to prevent them from running, without any due process (OCC 2021: 9), as well as measures to crack down on independent media outlets (Público 2021).

Moreover, the legal framework of measures against corruption has been instrumentalised to target and criminalise actors from the civil society (OCC 2021: 7). Similarly, the comptroller's office has become a weapon to intimidate municipalities controlled by the opposition (OCC 2021: 16). The mayor of Mulukukú, for example, had to flee Nicaragua after both his house and office were raided by the police for an alleged audit shortly after re-assuming office (Villavicencio 2019). Overall, the Comisión Interamericana de Derechos Humanos concludes that the regime is determined to cling onto power to retain its ill-gotten privileges and immunities, in a corrupt context of structural impunity (CIDH 2021, 65).

## Country spotlight: Venezuela

According to some observers, kleptocracy has replaced democracy in Venezuela, where the ruling political class has created a state that facilitates corruption and impunity, and a market that allows them to enrich themselves through illegal businesses (Tablante 2018: 179).

Transparencia Venezuela (2018: 3) has reported that grand corruption is an endemic feature in the country as:

- high-level government officials take part in corrupt schemes
- corruption cases affect large parts of the population that cannot access services, are victims of injustice or lose their jobs
- corruption mechanisms go beyond national borders to involve international networks
- corrupt actors enjoy impunity thanks to the control they exert over the justice system

Examples of corruption scandals abound in the country. Venezuela was affected by the Odebrecht corruption scandal as the company reportedly poured several million dollars to bribe high-level officials and the president to get preferential treatment in public contracts (Transparencia Venezuela 2018: 4, 36-41). The Odebrecht corruption case meant millions lost in unfinished construction, overpriced works and money siphoned to officials (Transparencia Venezuela 2018: 63).

The oil industry, the most important source of revenue for Venezuela, is also fraught with corruption cases, including irregular contracts, breach of contract, the illicit traffic of oil and embezzlement (Transparencia Venezuela 2018: 11-12, 19). Until 2020, embezzlement affecting the state-owned oil and gas company Pdvsa and the Venezuelan state were calculated in the region of US\$40 billion (Figueroa and Camacho 2021); out of 236 cases of public management irregularities, 92 involved the management of this resource (Henríquez 2020). In 2020, an oil spill from one of its refineries was in part attributed to the poor management by Pdvsa, which suffered an erosion of checks and balances as oil became the main funding mechanism for the ruling party (Corrales 2020).

To remain in power, Hugo Chavez established a regime based on a "leader – military – people" triad, which Maduro continued with the militarisation of the public authority that has extended to state businesses like Pdvsa, as well as the territory that contains the country's gold,

diamonds and coltan deposits (Tablante 2018: 184). The armed forces have successfully expanded their presence and control throughout the state, and particularly in the sectors with the largest corruption risks, like food, mining and fuel (Transparencia Venezuela 2018: 3, 114).

As in Nicaragua, there does not appear to be a particular drive to implement reforms that will curb corruption. Pro-government forces have successfully appropriated public resources, managed them discretionally and have continued to ensure this irregular management as the supreme court ruled that the executive did not have to present the public budget decree of 2017 to the legislative branch (Transparencia Venezuela 2018: 72-74).

The judiciary branch has been heavily criticised by observers for two reasons. First, in terms of its composition as 77 per cent of new judicial appointees in 2017 did not fulfil their posts' requirements (Transparencia Venezuela 2018: 163). Second, in terms of its judgements, given that it found in favour of the executive 93 per cent of the time between 2004 and 2013 (Transparencia Venezuela 2018: 163). Between 2014 and 2017, the supreme court found that the executive had not violated a constitutional provision once (Transparencia Venezuela 2018: 163).

The public prosecutor was dismissed after criticising the government in 2017 and was replaced by someone more amenable to the executive branch, neatly illustrating the lack of functional independence (Transparencia Venezuela 2018: 140).

Although many irregularities regarding Pdvsa have come to light since then, very few cases have been investigated by Venezuelan law enforcement or prosecutors (Figueroa and Camacho 2021). For example, the former vice-minister of Electric Power, Nervis Villalobos, was arrested in Spain and extradited to the US on charges of money laundering and corruption (Transparencia

Venezuela 2018: 26; Swiss Info 2021). Venezuelan justice had previously allowed Villalobos to evade an investigation into a US\$50 million charge related to a Spanish business (Transparencia Venezuela 2018: 26). The few investigations conducted in Venezuela appear to be targeted at former high-level officials who became critical of the current administration, showing an arbitrary application of the machinery of justice (Figueroa and Camacho 2021).

Corruption has led to a humanitarian crisis and extensive human rights violations in Venezuela (Transparencia Venezuela 2018: 162). As corruption has permeated into nearly all organs of state, including the institutions in charge of guaranteeing human rights, citizens are unable to turn to the Venezuelan state to assert their rights when these have been violated (Transparencia Venezuela 2018: 162).

There have been several cases of corruption in the food sector, from the direct assignation of millionaire contracts to the diversion of food (Transparencia Venezuela 2020b: 5). The most severe cases involve the discretionary allocation of overpriced contracts to foreign businesses that import low quality products and even the acquisition of expired products (Transparencia Venezuela 2020b: 20, 30). Although an investigation has not been launched in Venezuela, there are open processes abroad (Transparencia Venezuela 2020b: 5).

Venezuela's path towards authoritarianism has been accompanied with the prohibition of opposition parties, targeting political and civil rights, obstructing free and transparent elections, and curtailing freedom of expression and information. Freedom of expression has long ceased, and in 2017, the Constituent National Assembly, entirely constituted by pro-government members, approved a law that restricted principles of plurality, diversity and freedom (Tablante 2018: 181-182).

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Finally, the magnitude of corruption in Venezuela has affected the ability of the state to fulfil a number of its responsibilities towards its population. A clear example is the health sector.

Grand corruption has affected the healthcare system, which was plunged into crisis in 2020 when the COVID-19 pandemic hit the country (Transparencia Venezuela 2020a: 1). According to a report by Transparencia Venezuela (2020a), for the previous 18 years, political and economic interests took precedence over capacity and technical management in the health sector, which led to an inability to fulfil citizens' right to health by affecting the availability, accessibility and quality of public healthcare in the country.

The report further points to several corrupt activities as the main drivers for the crisis, including, but not limited to, obscure public contacts, the elimination of checks and balances and control mechanisms, an absence of accountability, an increase of military control and the creation of parallel health systems (Transparencia Venezuela 2020a).

The infrastructure crisis in the health sector was partly driven by corruption, particularly projects that did not meet international standards, the abandonment of budgeted projects – leading to unfinished hospitals – or allocating improvement contracts to businesses without experience, among others (Transparencia Venezuela 2020c: 7, 30). Corruption has also been detected in the acquisition of medicine and surgical equipment, including overpricing, buying expired medicines and selling medicines or medical instruments that should be provided by the state (Transparencia Venezuela 2020c: 30). Corruption in this sector led to a medicine and supply shortage of 49 per cent in emergency rooms and 32.5 per cent in the wards before the pandemic in 2019, (Transparencia Venezuela 2020c: 10).

The regime's zeal to consolidate more power and to clamp down on opposition has led to a situation where political loyalty can determine everything, even medicine access. For example, the 0800 Salud YA programme used to supply medicines only to citizens who possessed a *carnet de la patria*, and the state has a two-tier system to provide public services (Transparencia Venezuela 2020a: 8; BTI 2020c). The *carnet de la patria* is an ID document introduced by Maduro's government in 2017 and a requirement to receive several of the social aids the government provides, despite the fact that a regular national ID already existed (BBC 2018). To obtain it, people need to answer a number of questions regarding their socio-economic status and, according to several allegations, their political activities (Berwick 2018). Even if this document is not required, there have been allegations of the government ordering not to give out medicines and save them to distribute in an electoral context (Transparencia Venezuela 2020c: 33).

The situation has not changed throughout the pandemic. Among the authorities in charge of dealing with the pandemic in Venezuela, five have international sanctions for allegedly undermining democracy, committing human rights violations, or for being involved in drug trafficking or corruption (Transparencia Venezuela 2021a). Similarly, the EU electoral observers concluded that the government favoured the official party in non-electoral public events, including vaccination sessions (Transparencia Venezuela 2021b).

## Countries to watch: El Salvador and Honduras

The three indexes referred to above that classify Venezuela, Nicaragua and Cuba as the only non-democracies in the Latin American region also indicate that El Salvador and Honduras are on a troubling trajectory.

**Table 2: The categorisation of El Salvador and Honduras in prominent international governance Indices**

Index	El Salvador	Honduras
Freedom in the World	63 – partly free	44 – partly free
Global State of Democracy Indices – IDEA	Low-performance democracy	Hybrid
Economist Intelligence Unit Democracy Index	Hybrid regime	Hybrid regime

According to the Economist Intelligence Unit Democracy Index of 2020, no other democracy in Latin America deteriorated more than El Salvador.

President Nayib Bukele has constantly disregarded supreme court rulings and, in February 2020, he deployed the military and the police to the legislative assembly to pressure elected officials to approve a loan (the Economist Intelligence Unit 2021: 39). In 2021, Bukele's party took virtual control of the legislature due to a landslide win, which might lead to further attempts to undermine the separation of power, which would likely affect the rule of law and checks and balances. The Freedom in the World Index of 2019 already showed El Salvador declining (2020), while the 2020 report stated that the country had declined 12 points over the past 10 years (Freedom House 2021: 6), which was only surpassed by Nicaragua and Venezuela in the region. Particularly worrisome is that this has been accompanied by the population's decrease in the support for the democratic system (BTI 2020e).

Equally worrisome are recent allegations that the government was behind the illegal surveillance of several journalists' cell phones (Medina 2022). The

Bukele administration had also announced the launch of a criminal investigation for money laundering against El Faro, an independent and highly regarded media outlet in the region (Vivanco 2021).

In El Salvador, several allegations of corruption arose during 2020 (the Economist Intelligence Unit 2021: 38) that are worrisome from a human rights perspective. Bukele was allegedly negotiating with gangs to get them to reduce homicides in exchange for prison privileges, a deal designed to make it appear as if Bukele's party, Nuevas Ideas, had been successful in curbing violence ahead of elections to the legislative assembly in 2021 and even recruited gang members to support their party in said elections (Martinez et al 2020). Such acts of corruption erode both the rule of law – with the aggravating circumstance of undermining the judiciary – and democracy and represent a threat to human rights that could endanger citizens.

In Honduras, observers had seen the previous presidential election, in November 2017, as possibly rigged by then-incumbent Juan Orlando Hernandez (Kinosian 2018). The country's democratic scores are particularly low, and

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outgoing President Hernández and his immediate family reportedly have suspected links to drug traffickers (BTI 2020d; Palmer and Semple 2021). He had also shown signs of trying to co-opt the state as he stuffed independent institutions with allies and sought to wrestle control of the judicial branch (BTI 2020d).

However, the recent presidential elections were held without major occurrences and the opposition candidate, Xiomara Castro, was declared the winner, even though some feared that the ruling party might try to tilt the odds in their favour or subvert the election. Although Honduras ranks low in most freedom and democratic indexes, recent events offer a glimmer of hope and show that the democratic backsliding that the region has seen is not irreversible.

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