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Country:

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Year:

2018

Freedom Status:

Free

Political Rights:

2

Civil Liberties:

2

Aggregate Score:

83

Freedom Rating:

2.0

Overview:

Antigua and Barbuda is a democracy that holds regular elections. Corruption in government is a concern, and women and LGBT (lesbian, gay, bisexual, and transgender) people are underrepresented in politics and suffer some discrimination. In 2017, Hurricane Irma devastated Barbuda; the entire island was evacuated, and many residents lost their livelihoods and have yet to return home.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 33 / 40

A. ELECTORAL PROCESS: 12 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 4 / 4

The 1981 constitution establishes a parliamentary system, with a governor-general representing the British monarch as ceremonial head of state. Antigua and Barbuda's prime minister is the head of government, and is typically the leader of the majority party or coalition that emerges from the legislative elections. The leader of the ABLP, Gaston

Browne, became prime minister after his party won a majority in parliament in 2014 elections.

A2. Were the current national legislative representatives elected through free and fair elections? 4 / 4

The bicameral Parliament is composed of an appointed 17-seat Senate, and the House of Representatives, whose 17 directly elected members serve five-year terms. In the 2014 elections, the opposition ALP captured 14 out of 17 seats in the House of Representatives, while the UPP took 3 seats. Observers deemed them generally competitive and credible.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 4 / 4

Electoral laws are generally fair, and are implemented impartially by the relevant election management bodies.

B. POLITICAL PLURALISM AND PARTICIPATION: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4

Political parties can organize freely. While there are a number of small political parties in the country, elections have been won by either the ABLP or the UPP since 1994. Inadequate campaign finance regulations effectively allow candidates and parties to accept donations without disclosing donors' identities.

While political threats are uncommon, in May 2017, George Wehner, a member of the opposition UPP, was charged with threatening to kill Prime Minister Gaston Browne and 13 other members of the ABLP. The charges were connected with a video that circulated widely online, which appeared to show Wehner issuing the threats, accompanied by the sound of gunfire.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 4 / 4

There are realistic opportunities for opposition parties to increase their support or gain power through elections. Power has rotated frequently between the ABLP and UPP.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 3 / 4

Recent elections, including those in 2014, have been viewed as free and fair. However, concerns were raised by the Electoral Observation Mission of the Organization of American States (OAS) about the lack of transparency of party and campaign financing, and thus the potential influence of unknown domestic and foreign interests over candidates.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Women are underrepresented in politics. Only two women were elected to the House of Representatives in 2014. In February 2017, the UPP's sole female member in the House, Joanne Massiah, was ejected from the party on the grounds of acting against its interests and disrespecting its leaders, in response to her criticism of other party members.

The LGBT community is marginalized, and this impacts its ability to engage fully in political processes.

C. FUNCTIONING OF GOVERNMENT: 8 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 3 / 4

The elected prime minister, cabinet, and national legislative representatives determine the policies of the government. However, in 2013 and 2016, normal legislative operations were disrupted when government-appointed senators were dismissed after voting with the opposition. There are some concerns about the influence of businesses on policymaking.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Despite claims of their involvement, no Antiguan officials have been brought to trial in connection with a massive investment scandal involving Stanford International Bank of Antigua that erupted in 2009.

Antigua's Citizenship by Investment Program (CIP), in which individuals can be granted citizenship in exchange for a sizable business investment or contribution, came under scrutiny in 2017 after being criticized on the US investigative news program *60 Minutes* as attracting fugitives and tax evaders, among others. The US Department of State in March called the program "the most lax" of its kind, and raised questions about the program's autonomy from politicians who might seek to misuse it. In March, the government tightened CIP policies.

C3. Does the government operate with openness and transparency? 3 / 4

Antigua and Barbuda has seen gradual improvement in accountability structures since 2004, when the government enacted a Freedom of Information Act. The Public Accounts Committee can also expose governmental improprieties and wrongdoings, but historically it has not functioned effectively, and there have been lengthy delays in submission of the Auditor General's report.

CIVIL LIBERTIES: 50 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 15 / 16

D1. Are there free and independent media? 3 / 4

Press freedom is generally respected in Antigua and Barbuda. In 2015, the ABLP government passed the Defamation Act, which abolished criminal defamation. However, under the Sedition and Undesirable Publications Act, seditious libel is a criminal offense punishable with a maximum of two years in prison and a maximum fine of \$5,000. Media outlets are concentrated among a small number of firms affiliated with either the current government or its predecessor.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 4 / 4

The constitution provides for freedom of worship as well as the right to practice and change religion, and these freedoms are generally respected. A law that outlaws blasphemous language is not enforced.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 4 / 4

Academic freedom is generally respected.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 4 / 4

Individuals are generally free to express their personal views on political or other sensitive topics.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 9 / 12

E1. Is there freedom of assembly? 3 / 4

Freedom of association and assembly are guaranteed under the constitution, and the government generally respects these rights in practice. However, demonstrators are occasionally subject to police harassment.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights—and governance-related work? 3 / 4

The country's few nongovernmental organizations (NGOs) are active, though inadequately funded and often influenced by the government. NGOs include Women against Rape, the Free and Fair Elections League, and the Professional Organization of Women in Antigua.

E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4

Labor unions can organize freely and bargain collectively. Workers providing essential services must give notice two weeks before intent to strike, and the International Labor Organization (ILO) has described the list of essential services as excessively broad. Strikes are fairly rare.

F. RULE OF LAW: 13 / 16

F1. Is there an independent judiciary? 3 / 4

The constitution provides for an independent judiciary, which is generally respected by the government. Antigua and Barbuda is a member of the Organization of Eastern Caribbean States court system. Past ABLP governments manipulated the judicial system, but in recent years the courts have increasingly asserted independence.

F2. Does due process prevail in civil and criminal matters? 3 / 4

Constitutional guarantees of due process are generally upheld. However, prisoners on remand often remain in jail for an average of three to four years before their cases are heard.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 4 / 4

Residents of Antigua and Barbuda do not face any significant security threats. Nevertheless, there is a small Antigua and Barbuda Defense Force. Prisons are severely overcrowded, and conditions within them are poor.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 3 / 4

The 2005 Equal Opportunity Act bars discrimination on the basis of race, gender, class, political affinity, or place of origin. There are no specific laws prohibiting discrimination against people with disabilities, or LGBT individuals. Same-sex sexual activity remains criminalized under a 1995 law; however, it is not strictly enforced. Societal norms discourage participation of women in some employment sectors, and few women hold leadership positions.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 13 / 16**G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 4 / 4**

Individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education. Many residents of Barbuda remained displaced at the end of 2017 due to damage inflicted by Hurricane Irma.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or non-state actors? 3 / 4

While the government has historically encouraged both national and foreign investors to operate businesses in the country, taxation procedures are cumbersome.

In late 2017, many Barbudans forced to evacuate the island due to Hurricane Irma opposed preliminary moves by lawmakers in Antigua to eliminate the communal land ownership system that had governed the island for almost two centuries. Opponents claimed authorities were taking advantage of the devastation to develop rural Barbuda for mass tourism.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 3 / 4

The Domestic Violence Act of 2015 strengthened the measures that can be taken against the perpetrators of domestic violence, and laid out a process for victims to obtain an order of protection. However, domestic violence remains a serious problem. Same-sex marriage and civil partnerships are not recognized.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 3 / 4

Antigua and Barbuda serves as both a destination and transit country for the trafficking of men, women, and children for the purposes of forced labor and sexual exploitation. Government efforts to address the problem are inadequate, and there have been no recent reports of prosecutions or convictions of traffickers.

Barbuda was evacuated after Hurricane Irma devastated the island in September 2017. Many of Barbuda's 1,800 residents had yet to return home at year's end due to widespread devastation, which has seriously affected their livelihoods.

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