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CASINO GAMBLING IN THE CARIBBEAN

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I. INTRODUCTION

For a variety of reasons—centering on cultural, geographical, historical, linguistic, and political differences—a universally accepted definition of the term “Caribbean” does not exist.¹ Nevertheless, there is general agreement that what popularly is thought of as the Caribbean—that is, the tourist islands sometimes incorrectly called the West Indies²—consists of 13 sovereign nations as well as 17 territories³ that continue to owe their allegiance to one of four colonial powers: France, Great Britain, The Netherlands, and the United States.⁴

Keywords: Caribbean, casinos, cruise ships, tourism, resorts

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Authors' Note: The research for this article closed on April 1, 2020. By this date, many Caribbean casinos had shut down because of COVID-19. See, e.g., *Aruba Launches Aggressive Measures Against Coronavirus*, CARIBBEAN J. (Mar. 19, 2020), <https://www.caribjournal.com/2020/03/19/aruba-coronavirus-fight-aggressive/> (“On March 19, all of Aruba’s casinos, movie theaters and gyms . . . closed, while all group sporting events [were] canceled.”). The pandemic’s long-term effects on the Caribbean’s casino industry are uncertain. See generally Jacqueline Charles, *COVID-19 Is Hitting Caribbean and Latin American Economies Hard. Can They Survive?*, MIAMI HERALD (Mar. 27, 2020), <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article241525961.html>. See also *Coronavirus (COVID-19)*, CARIBBEAN TOURISM ORGANIZATION, <https://www.onecaribbean.org/resources/coronavirus/>.

¹Accordingly, as used in this article, the term “Caribbean” means:

- (a) The Greater Antilles;
- (b) The Lesser Antilles, which consists of the Leeward Antilles (west), Leeward Islands (north), and Windward Islands (south); and
- (c) The Lucayan Archipelago, which is comprised of The Bahamas and the Turks and Caicos Islands.

Among the countries included on some Caribbean lists, but omitted from others, are: Belize, Brazil, Colombia, Costa Rica, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Suriname, and Venezuela. Bermuda, in the North Atlantic, and French Guiana, on the coast of South America, present similar classification challenges. For a further discussion, see, e.g., Bridget Brereton, *Regional Histories*, in VI GENERAL HISTORY OF THE CARIBBEAN: METHODOLOGY AND HISTORIOGRAPHY OF THE CARIBBEAN 308 (B.W. HIGMAN ed. 1999) (discussing the reasons for, and consequences of, the different definitions). See also FRANKLIN W. KNIGHT, *THE CARIBBEAN: THE GENESIS OF A FRAGMENTED NATIONALISM* (3d ed. 2011).

²As an imperialist invention, the term “West Indies” largely has disappeared from modern language:

With the original intent of Columbus’s voyage being to find a westbound route to Asia, the phrase “West Indies” distinguished the territories encountered by Columbus and claimed by Spain from discovery claims by other European powers in the so-called “East Indies”—that is to say, in Asia. The term “West Indies” was eventually used by all European nations to describe their own acquired territories in the Americas, but, by the twentieth century, the term had largely fallen into disuse except in the British case. Some British people continue to use the term to refer to the Caribbean in general instead of the former British colonies. This usage is widely considered incorrect.

Rosanne Adderley, *West Indies*, in 3 ENCYCLOPEDIA OF CONTEMPORARY LATIN AMERICAN AND CARIBBEAN CULTURES 1584, 1584 (Daniel Balderston et al. eds. 2000). For further examinations of the region’s past, see, e.g., GAD HEUMAN, *THE CARIBBEAN: A BRIEF HISTORY* (3d ed. 2019); CARRIE GIBSON, *EMPIRE’S CROSSROADS: A HISTORY OF THE CARIBBEAN FROM COLUMBUS TO THE PRESENT DAY* (2014); B.W. HIGMAN, *A CONCISE HISTORY OF THE CARIBBEAN* (2011).

³These entities go by a variety of designations, including: commonwealth, department, dependency, kingdom, municipality, state, and territory. The term “territory” is used in this article as a catch-all descriptor.

⁴This jumble has caused one commentator to remark: “Our geopolitical definition of Caribbean suggests a unity. In a historico-sociological sense, however, there is not one Caribbean but several Caribbeans, namely British/Commonwealth; Spanish/Hispanic; French; Dutch; and ex-Danish/now United States.” Fitzroy A. Baptiste, *United States-Caribbean Relations from World War II to the Present: The Social Nexus*, in U.S.-CARIBBEAN RELATIONS: THEIR IMPACT ON PEOPLES AND CULTURE 7, 9 (Ransford W. Palmer ed. 1998).

As one would expect, these 30 jurisdictions differ greatly when it comes to regulating casino gambling.⁵ But as is so often true when a question of Caribbean law arises,⁶ there is no single, current, and

readily available source to which a reader can turn.⁷ Accordingly, this article provides a concise legal overview of casino gambling in the Caribbean,⁸ a region that despite having just 0.6% of the world's

⁵As used in this article, "casino gambling" refers to full-scale, land-based casinos (i.e., establishments that offer live dealer games—such as baccarat, blackjack, craps, and roulette—in addition to slot machines). See WILLIAM N. THOMPSON, *GAMBLING IN AMERICA: AN ENCYCLOPEDIA OF HISTORY, ISSUES, AND SOCIETY* 44 (2d ed. 2015) (distinguishing casinos from other types of gambling entities). Thus, this article excludes the Caribbean's many slot parlors as well as its many online casinos. For a useful overview of the latter, see *Legal Status and Laws*, SIMON'S ONLINE GAMBLING BLOG (JULY 11, 2016), <https://simonsblogpark.com/onlinegambling/simons-guide-online-gambling-legal-status-laws/>. See also Katie Berry, *Know When to Fold 'Em: The International Effects of Murphy v. NCAA and Why Antigua Holds the Cards*, 8 ARIZ. ST. SPORTS & ENT. L.J. 93 (2019) (describing Antigua and Barbuda's long-running battle against the United States at the World Trade Organization over I-gambling licenses). This article also omits cruise ship casinos. Approximately 250 cruise ships sail to the Caribbean each year (primarily during the winter months). See Chris Gray Faust, *Too Many Cruise Ships in the Caribbean?*, CRUISE CRITIC (Aug. 18, 2014), <https://www.cruisecritic.com/news/news.cfm?ID=5957>. Although they must keep their casinos closed while in port (except when docking overnight in Barbados or The Bahamas—see *infra* notes 18 and 27 and accompanying text), they are open during voyages to, between, and from the islands. For a further discussion, see, e.g., CRUISE TOURISM IN THE CARIBBEAN: SELLING SUNSHINE (Martha Honey ed. 2019). See also Tanner Callais, *10 Major Ways Cruise Casinos Are Different from Traditional Casinos*, CRUZELY (Nov. 13, 2017), <https://www.cruzely.com/10-major-ways-cruise-casinos-are-different-from-traditional-casinos/>.

⁶"Caribbean law," another loose and imprecise term, is the product of both indigenous and external influences. Most legal analyses focus on the "Commonwealth Caribbean," which is limited to those jurisdictions having a historical connection to Great Britain. See Rose-Marie B. Antoine, *Waiting to Exhale: Commonwealth Caribbean Law and Legal Systems*, 29 NOVA L. REV. 141, 143–46 (2005). The Caribbean's two major inter-governmental bodies—the Caribbean Community (CARICOM) (<https://caricom.org/>) and the Organisation of Eastern Caribbean States (OECS) (<https://www.oecs.org/en/>)—are composed mainly of Commonwealth Caribbean countries. For a useful description of CARICOM and the OECS, see DAVID S. BERRY, *CARIBBEAN INTEGRATION LAW* (2014).

⁷The two previous major studies of this type now are each more than 20 years old. See *INTERNATIONAL CASINO LAW* (Anthony Cabot et al. eds. 3d ed. 1999); Joseph M. Kelly, *West Indies Casino Markets*, 1 GAMING L. REV. 65 (1997). Although Casino City's annual GLOBAL GAMING ALMANAC (<http://www.casinocitypress.com/GamingAlmanac/globalgamingalmanac/>) [hereinafter GGA] is both comprehensive and up to date, it approaches the subject from an operational rather than a legal perspective. Moreover, its cost (\$999.95) puts it beyond the reach of most readers and libraries. In contrast, ICLG.com's more reasonably priced (£295) annual desktop reference, *GAMBLING LAWS AND REGULATIONS* (<https://iclg.com/practice-areas/gambling-laws-and-regulations/>), is incomplete. In the fifth edition (2019), for example, only 12 Caribbean jurisdictions are covered: Aruba, Bonaire, Curaçao, Saba, Sint Eustatius, and Sint Maarten are discussed in Peter Muller and Xavier Rico, *Chapter 13—Dutch Caribbean*, while the Cayman Islands, Cuba, Dominican Republic, Haiti, Jamaica, and Puerto Rico are analyzed in Frederik van Ejik and Pedro Batista, *Chapter 17—Greater Antilles*. See https://www.acc.com/sites/default/files/resources/20190314/1494007_1.pdf. Only Cuban and Puerto Rican casinos are mentioned in WALTER T. CHAMPION, JR. AND I. NELSON ROSE, *GAMING LAW IN A NUTSHELL* (2d ed. 2017). The *GAMBLING LAW REVIEW* (Carl Rohsler ed. 4th ed. 2019) includes no Caribbean jurisdictions. See <https://thelawreviews.co.uk/edition/1001353/the-gambling-law-review-edition-4>. The same is true of the *GLOBAL GUIDE TO GAMING* (Julian Harris and Bahar Alaeddini eds. 5th ed. 2019). See <https://uk.practicallaw.thomsonreuters.com/Browse/Home/International/GamingGlobalGuide>.

Various gambling and travel websites have put together their own summaries, but these exist mainly to help tourists plan their vacations. See, e.g., *Caribbean Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/region/caribbean/>; *The Caribbean Casinos*, CARIBYA!, <http://caribya.com/caribbean/casinos/>; *Visiting Casinos in the Caribbean*, GAMBLINGSITES.ORG, <https://www.gamblingsites.org/casino/destinations/caribbean/>. See also *Everything You Need to Know About Gambling in the Caribbean*, BUSINESS VIEW CARIBBEAN (Jan. 23, 2019), <https://businessviewcaribbean.com/everything-need-know-gambling-caribbean/> ("The Caribbean is a fantastic destination to go and relax, soak in the sun, and unwind. . . . Plus, if you win a big glut of money while you're away, you could

afford to pay for another trip to the Caribbean."). In 2018, the *CARIBBEAN JOURNAL* ranked the region's top five casino destinations as: 1. The Bahamas; 2. Aruba; 3. Puerto Rico; 4. Curaçao; and, 5. Martinique. See *The Top 5 Casino Destinations in the Caribbean*, CARIBBEAN J. (Apr. 24, 2018), <https://www.caribjournal.com/2018/04/24/casino/>.

⁸Given the proximity of the United States to the Caribbean, it is useful for all American attorneys to know something about Caribbean casinos. As one would expect, numerous lawsuits in American courts have involved Caribbean casinos. Many have concerned attempts by Caribbean casinos to recover money lent to their patrons. See, e.g., *Carnival Leisure Indus., Ltd. v. Aubin*, 53 F.3d 716 (5th Cir. 1995) (Bahamian casino—debt unenforceable); *San Juan Hotel Corp. v. Greenberg*, 502 F. Supp. 34 (E.D.N.Y.), *aff'd mem.*, 646 F.2d 562 (2d Cir. 1980), *cert. denied*, 450 U.S. 1043 (1981) (Puerto Rican casino—debt enforceable); *Caribe Hilton Hotel v. Toland*, 307 A.2d 85 (N.J. 1973) (Puerto Rican casino—debt enforceable); *Intercontinental Hotels Corp. (P.R.) v. Golden*, 203 N.E.2d 210 (N.Y. 1964) (Puerto Rican casino—debt enforceable); *Paradise Enters. Ltd. v. Sapir*, 811 A.2d 516 (N.J. Super. Ct. App. Div. 2002), *certification denied*, 816 A.2d 1050 (N.J. 2003) (Bahamian casino—choice of forum clause in debt instrument valid); *National Recovery Sys. v. Zemnovitch*, 672 N.Y.S.2d 911 (App. Div. 1998) (Aruban casino—debt unenforceable); *Posadas de P.R., Inc. v. Gruberman*, 641 N.Y.S.2d 615 (App. Div. 1996) (Puerto Rican casino—debt enforceable); *Carnival Leisure Indus. Ltd. v. Arviv*, 655 So. 2d 177 (Fla. Dist. Ct. App. 1995) (Bahamian casino—debt unenforceable); *Carnival Leisure Indus., Ltd. v. Herman*, 629 So. 2d 882 (Fla. Dist. Ct. App. 1993) (Bahamian casino—debt unenforceable); *Froug v. Carnival Leisure Indus., Ltd.*, 627 So. 2d 538 (Fla. Dist. Ct. App. 1993) (Bahamian casino—debt unenforceable); *Condado Aruba Caribbean Hotel, N.V. v. Tickel*, 561 P.2d 23 (Colo. Ct. App. 1977) (Aruban casino—debt unenforceable); *Hilton Int'l Co. v. Arace*, 394 A.2d 739 (Conn. Super. Ct.—App. Sess. 1977) (Puerto Rican casino—debt enforceable); *King Int'l Corp. v. Voloshin*, 366 A.2d 1172 (Conn. Super. Ct. 1976) (Aruban casino—debt unenforceable); *Hilton of San Juan, Inc. v. Lateano*, 305 A.2d 538 (Conn. Cir. Ct. 1972) (Puerto Rican casino—debt unenforceable); *Dorado Beach Hotel Corp. v. Jernigan*, 202 So. 2d 830 (Fla. Dist. Ct. App. 1967), *appeal dismissed*, 209 So. 2d 669 (Fla. 1968) (Puerto Rican casino—debt unenforceable); *Tropicales, S.A. v. Drinkhouse*, 183 N.Y.S.2d 679 (Sup. Ct. 1959) (Cuban casino—debt enforceable).

For other types of cases, see, e.g., *Walden v. Fiore*, 571 U.S. 277 (2014) (Las Vegas professional gamblers whose winnings at a Puerto Rican casino were seized as they changed planes in Atlanta could not sue Georgia police officer in Nevada); *First Fidelity Bank, N.A. v. Government of Antigua & Barbuda—Perm. Mission*, 877 F.2d 189 (2d Cir. 1989) (default judgment set aside in suit to recover loan monies diverted to finance a private casino in Antigua); *In re San Juan Hotel Corp.*, 847 F.2d 931 (1st Cir. 1988) (former bankruptcy trustee for a Puerto Rican casino did not act improperly by settling patron's debt for 75 cents on the dollar); *United States v. Parness*, 503 F.2d 430 (2d Cir. 1974), *cert. denied*, 419 U.S. 1105 (1975) (defendant was properly convicted of using illegal means to gain control of a Sint Maarten casino); *United States v. Teresa*, 420 F.2d 13 (4th Cir. 1969), *cert. denied*, 397 U.S. 1063 (1970) (defendant was properly convicted of trying to use stolen funds to invest in a planned Haitian casino); *United States v. Sommerville*, 2016 WL 5929216 (N.D. Fla.), *amended on reconsideration*, 2016 WL 6699142 (N.D. Fla. 2016) (defendant ordered to pay \$2.3 million in restitution to individuals he convinced to invest in various fictitious projects, including a non-existent Trinidadian casino); *Aguirre v. Mayaguez Resort & Casino, Inc.*, 59 F. Supp. 3d 340 (D. P.R. 2014) (employee of Puerto Rican casino permitted to sue for retaliation); *Newco MG, Inc. v. Perry*, 2012 WL 631562 (M.D. Fla. 2012) (suit concerning ownership of a Dominican Republic casino dismissed on forum *non conveniens* grounds); *Kerzner Int'l Ltd. v. Monarch Casino & Resort, Inc.*, 675 F. Supp. 2d 1029 (D. Nev. 2009) (trademark dispute between Nevada casino and Bahamian casino); *One Treasure Ltd., Inc. v. Hyatt Gaming Mgmt., Inc.*, 2009 WL 10700501 (W.D. Tex. 2009) (copyright infringement action against Aruban casino); *Robin Bay Assocs., LLC v. Merrill Lynch & Co.*, 2008 WL 2275902 (S.D.N.Y. 2008) (breach of contract suit arising out of a failed U.S. Virgin Islands casino project); *Gonzalez v. Ritz Carlton Hotel Co. of P.R.*, 241 F. Supp. 2d 142 (D.P.R. 2003) (employment discrimination claim against Puerto Rican casino management company dismissed for lack of proper service); *Resorts Int'l, Inc. v. Grete Bay Hotel & Casino, Inc.*, 830 F. Supp. 826 (D.N.J. 1992) (trademark dispute between New Jersey casino and Bahamian casino); *Friedman ex rel. Krasney v. Treasure*

population,⁹ is home to 3.6% of its casinos.¹⁰ This level of development is particularly impressive given the numerous challenges faced by local operators.¹¹

II. COUNTRY PROFILES

A. Antigua and Barbuda

History: British possession until 1981

Location: Leeward Islands (1,324 miles south-east of Miami)

Area: 170 square miles

Population: 98,000

Capital: Saint John's (on the island of Antigua)

Principal Language: English

Currency: Eastern Caribbean Dollar

(continued)

Island, N.V., 1992 WL 111371 (S.D.N.Y. 1992) (securities fraud case arising from failed investment in a Sint Maarten casino dismissed for lack of scienter); Lodgix, Inc. v. Carnival's Crystal Palace Hotel Corp., Ltd., 1990 WL 7511 (D. Kan. 1990) (Bahamian casino could be sued in Kansas for breach of computer contract); Ainsworth Aristocrat Int'l Pty. Ltd. v. Tourism Co. of Commnw. of P.R., 693 F. Supp. 1354 (D. Mass. 1988), *aff'd mem.*, 879 F.2d 852 (1st Cir. 1989) (slot machine distributor's unfair competition lawsuit dismissed as moot); Rosado Maysonet v. Solis, 409 F. Supp. 576 (D.P.R. 1975) (racial discrimination suit brought by patrons of a Puerto Rican casino dismissed as unfounded); Hilton Int'l Co. v. Asociación de Empleados de Casino de P.R., 324 F. Supp. 492 (D.P.R. 1971) (labor dispute between a hotel and the croupiers union); In re Siskind, 2008 WL 2705528 (Bankr. D. Md. 2008) (approving trustee's proposed sale of estate's 50% interest in a Dominican Republic casino); Bright v. Addison, 171 S.W.3d 588 (Tex. Ct. App. 2005) (agreeing that law firm had usurped plaintiffs' opportunity to manage an Aruban casino); Muci v. Posadas de P.R. Assocs., Inc., 716 So. 2d 294 (Fla. Dist. Ct. App. 1998) (Florida resident could not sue Puerto Rican casino for her gambling losses); Charter Air Ctr., Inc. v. Resorts Int'l, Inc., 548 So. 2d 729 (Fla. Dist. Ct. App. 1989), *rev. denied*, 562 So. 2d 346 (Fla. 1990) (airline entitled to recover lost profits for Bahamian casino's breach of its transportation contract).

⁹See *Caribbean Population*, WORLDOMETER, <https://www.worldometers.info/world-population/caribbean-population/> (reporting that as of 2020, the Caribbean's population is 43.5 million while the world's population is 7.8 billion).

¹⁰This number is arrived at by comparing the GGA's global and Caribbean casino figures. See GGA, *supra* note 7, at 11, 181. The profusion of casinos in the Caribbean is attributable to the fact that the "Caribbean is the most tourism-dependent region of the world." Desmond Thomas, *The Caribbean Tourism Industry in the 21st Century: An Assessment 2* (2015), available at <https://lacc.fiu.edu/research/publications/lacc-working-paper-series/tourism-caribbean-desmond-thomas-wp3-1.pdf>. Indeed, tourism is responsible for 19% of the Caribbean's economy, "which is almost three times the world average." *Id.* See also Michael Klein, *Casinos in the Caribbean*, CAYMAN COMPASS (Apr. 18, 2013), <https://www.caymancompass.com/2013/04/18/casinos-in-the-caribbean/> ("Typically Caribbean casinos are part of a hotel or resort, reflecting the tourism objective of the industry and due to their ability of offering regular casino gamblers free or discounted accommodations, food, beverage and other resort amenities.").

Despite the importance of the Caribbean gambling industry, no single organization coordinates its activities. In 2015, Violet A. Golden, the chair of the U.S. Virgin Islands Casino Control Commission, called for the establishment of such a body. See *USVI Casino Control Commission Hosts IMGL Gaming Law Conference*, DW GAMING & HOSPITALITY BLOG (Apr. 21, 2015), <https://www.lexology.com/library/detail.aspx?g=b4ab29f8-a06c-4793-921a-63b57a781f5c>.

¹¹In describing these challenges, one commentator has written:

Virtually all jurisdictions in the Caribbean permit various types of gaming. Many offer casino gaming. The success of Caribbean jurisdictions in attracting casino investment has depended on the development of special administrative boards or agencies that regulate gambling activities in an objective and professional manner. In many cases, a Minister of Finance oversees gaming. His main consideration will be the revenue aspect. Absence of government regulation leaves operators to rely on self-regulation. The experience with self-regulation has resulted in problems. At times, house banks have not been able to cover losses at the tables. The lack of comprehensive planning has resulted in too many operators and/or improper vetting of applicants, resulting in operators without suitable backgrounds obtaining licenses.

A problem has been that in some jurisdictions obtaining, training, disciplining, and retaining sufficient personnel has been difficult. Casinos must provide extensive training. Foreign-operated casino operators sometimes experience difficulty in firing or disciplining local workers, even if they are grossly inefficient or dishonest.

Because currency exchange is a problem, many Caribbean jurisdictions require that all gambling activities must be conducted in [U.S.] dollars. Import duties often increase costs. Local supplies of building materials or gaming equipment may not be available. Costs of food, hotel rooms, and air fares are high. Business is often seasonal with full or near-full occupancies between December and April, but low occupancies at other times. A small number of tourists tend to visit for gambling and those have a small budget for gambling.

While casino and gaming activities in the Caribbean continue to grow, competition from within the Caribbean and outside, especially North America, as well as the limited market in the region, is limiting its growth.

Bruce Zagaris, *Technology Trumps the Law in International Gaming* (paper delivered at the ABA CLE Program on Gaming Enforcement, Apr. 16–17, 1998—available on Westlaw at N98GENB ABA-LGLED C-21), at 35–36 (footnotes omitted). See also THOMPSON, *supra* note 5, at 38–41 (adding hurricanes to the list). As Zagaris further points out, Caribbean casinos, like casinos everywhere, are vulnerable to money laundering and other financial crimes. See Zagaris, *supra*, at 37–39. See also Joseph M. Kelly and Mark Clayton, *Money Laundering and Land-Based Casinos*, 14 GAMING L. REV. 275 (2010). As a result, the Caribbean Financial Action Task Force (<https://cfatf-gafic.org/>) has endorsed the Financial Action Task Force's (<https://www.fatf-gafi.org/>) Recommendation 28 ("Regulation and Supervision of DNFBPs"), which calls on governments to ensure that their casinos are following best practices:

Designated non-financial businesses and professions [DNFBPs] should be subject to regulatory and supervisory measures as set out below.

(a) Casinos should be subject to a comprehensive regulatory and supervisory regime that ensures that they have effectively implemented the necessary AML/CFT [anti-money laundering/combating the financing of terrorism] measures. At a minimum:

- casinos should be licensed;
- competent authorities should take the necessary legal or regulatory measures to prevent criminals or their associates from holding, or being the beneficial owner of, a significant or controlling interest, holding a management function in, or being an operator of, a casino; and
- competent authorities should ensure that casinos are effectively supervised for compliance with AML/CFT requirements.

Caribbean Financial Action Task Force, *Recommendation 28: Regulation and Supervision of DNFBPs*, at <https://cfatf-gafic.org/index.php/documents/fatf-40r/394-fatf-recommendation-28-regulation-and-supervision-of-dnfbps>. As others have observed, implementation of Recommendation 28 remains a work in progress in the Caribbean. See, e.g., Chris Murphy, *Minister Urges Legitimate Approach to Caribbean Gambling Sector*, SBC AMERICAS (June 6, 2019), <https://sbcamericas.com/2019/06/06/minister-urges-legitimate-approach-to-caribbean-gambling-sector/>; Tony Clark and Alan Pedley, *Governments, Regulators, Casinos, and Banks in the Caribbean*, Dec. 18, 2015, available at <https://www.slideshare.net/AlanPedley/a-possible-banking-crisis-for-caribbean-casinos>. For a further discussion, see WILLIAM H. BYRNES AND ROBERT J. MUNRO, *MONEY LAUNDERING, ASSET FORFEITURE AND RECOVERY AND COMPLIANCE—A GLOBAL GUIDE* (2020 ed.).

Casinos have been legal in Antigua and Barbuda since 1963,¹² and the country's first casino—the Marmora Beach Hotel & Casino in Marmora Bay (15 miles from Saint John's)—opened in 1964.¹³ Currently, there is one casino in the country.¹⁴ Known as King's Casino,¹⁵ and located in downtown Saint John's (near where the cruise ships dock), it has 350 slot machines and seven table games.¹⁶ The minimum age to bet in Antigua and Barbuda is 18.

B. The Bahamas

History: British possession until 1973

Location: Lucayan Archipelago (181 miles southeast of Miami)

Area: 5,358 square miles

Population: 393,000

Capital: Nassau (on the island of New Providence)

Principal Language: English

Currency: Bahamian Dollar

Casinos have been legal in The Bahamas since 1969.¹⁷ At present, there are three casinos in the

¹²Until 2016, casino gambling fell under the purview of the Betting and Gaming Ordinance 1963. *See, e.g.*, *Universal Caribbean Estab. v. Egg-Hill Holding Co. Ltd.*, 41 W. Indian Rep. 125 (E. Caribbean Sup. Ct.—Ct. App. 1992) (upholding finding that hotel's slot machines did not comply with the statute). As has been explained elsewhere, "In December 2016, the Antiguan government began the process of modernizing its gambling regulatory structure by passing the Antigua and Barbuda Gambling Bill 2016. It establishes the Gambling Authority of Antigua [GAA], which oversees all forms of gambling. . . ." GGA, *supra* note 7, at 182. The 2016 Act, together with its 2017 amendments, can be found at <http://laws.gov.ag/> (under "Laws or Acts of Parliament in Alphabetical Order"). At present, the GAA does not have a website.

¹³*See* Harry Hoffman, *Vacation Know-How*, PHIL. INQUIRER, Dec. 6, 1964, at 8 (Travel).

¹⁴*See* *Antigua and Barbuda Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinoirectory.com/antigua-and-barbuda>. In the future, however, this may change: In 2015, Yida Zhang, a Chinese investment firm, signed an agreement to develop 2,000 acres in northeastern Antigua. The project's ambitious plans include a Hard Rock Hotel & Casino on Guiana Island, which is supposed to open in 2025. *See* *Hard Rock Hotel & Casino Antigua Review*, WORLD CASINO DIRECTORY, <https://www.worldcasinoirectory.com/casino/singulart-casino-resort>.

In 2016, actor Robert De Niro received approval to build a casino resort on Barbuda. In the wake of Hurricane Irma (2017), however, the project, which already was facing strong opposition from locals, was placed on hold. *See* Naomi Klein and Alleen Brown, *Robert De Niro Accused of Exploiting Hurricane Irma to Build Resort in Barbuda*, INTERCEPT (Jan. 23, 2018), <https://theintercept.com/2018/01/23/robert-de-niro-barbuda-hotel-hurricane-irma/>.

In 2018, bitcoin mogul Calvin Ayre received permission to build a casino resort at Valley Church beach in Antigua. *See* *Press Release: New Resort Development Announced by the Government of Antigua and the Ayre Group*, CALVINAYRE.COM (Feb. 19, 2018), <https://calvinayre.com/2018/02/19/press-releases/new-resort-development-announced-by-the-government-of-antigua-the-ayre-group/>. The project's website, however, has not been updated since 2018. *See* <https://ayrerestorts.com/>.

¹⁵KING'S CASINO, <http://www.kingscasino.com/>.

¹⁶For court cases, *see, e.g.*, *Christian v. King's Casino Ltd.*, Case No. ANUHC-VAP2018/0030 (E. Caribbean Sup. Ct.—Ct. App. 2020), *available at* <https://www.eccourts.org/dolcie-christian-v-kings-casino-limited/> (upholding award of damages to patron injured by malfunctioning doors); *Sundry Workers v. Kings Casino Ltd.*, Civil Appeal No. 28 of 2001 (E. Caribbean Sup. Ct.—Ct. App. 2003), *available at* <https://www.eccourts.org/sundry-workers-veronica-joseph-v-kings-casino-limited/> (agreeing that the casino had used Hurricane Luis (1995) as a pretext to fire its entire staff); *Kings Casino Ltd. v. Swiss Am. Nat'l Bank of Antigua Ltd.*, Case No. ANUHC-V 0323 of 2000 (Antigua High Ct. 2000), *available at* <https://app.justis.com/> (ruling that the defendant bank was not responsible for a casino employee's embezzlement); *Jarvis v. Kings Casino*, Ref. No. 53 of 1996 (Antigua Indus. Ct. 1999), *available at* <https://app.justis.com/> (finding that the casino's firing of a shift manager who overpaid a jackpot winner was unjustified given the circumstances).

¹⁷Prior to 1969, casinos were illegal in The Bahamas but exemptions were granted on a case-by-case basis. *See* Miriam C. Meyer-Thompson, *Modernizing Casino Gaming in The Bahamas* 2 (2013), *available at* <https://www.theiaga.org/assets/docs/2013-meyer-thompson.pdf>. *See also* *Time, Inc. v. McInaney*, 406 F.2d 565 (5th Cir., cert. denied, 395 U.S. 922 (1969) (defamation action arising from article alleging that local politicians were working with the U.S. mob to bring casinos to The Bahamas); *Holmes*

v. Curtis Pub. Co., 303 F. Supp. 522 (D.S.C. 1969) (describing how the U.S. mob obtained a Bahamian casino exemption in 1963).

In 2014, the original legislation authorizing casino gambling (Lotteries and Gaming Act, 1969) was replaced by the Gaming Act, 2014. The country's gambling laws are enforced by the Gaming Board for The Bahamas (<http://www.gamingboardbahamas.com/index.html>). Its website includes both the 2014 Act and a host of related materials. *See* <http://www.gamingboardbahamas.com/legislation.html>. Much of this information also can be found at http://laws.bahamas.gov.bs/cms/en/legislation/laws/by-title.html?view=acts_alpha (under "Lotteries and Gaming Act").

Over the years, the Bahamian courts have decided numerous casino cases (*available at* <https://www.lexisnexis.com>). Nearly all the reported ones have involved employment disputes. *See, e.g.*, [Frederick] *Ferguson v. Island Hotel Co. Ltd.*, [2018] 1 BHS J. No. 148 (Bahamas Ct. App.) (cage manager); *B.M.P. Ltd. v. [Patrice] Ferguson*, [2013] 1 BHS J. No. 135 (Bahamas Ct. App.) (shift manager); *Lucayan Beach Resort & Casino v. Lewis*, [1999] BHS J. No. 14 (Bahamas Ct. App.) (croupier); *Carnival Leisure Indus. Ltd. v. Zervos*, [1988] BHS J. No. 139 (Bahamas Ct. App.) (cage supervisor); *Morris v. Paradise Enterps. Ltd.*, [2018] 1 BHS J. No. 10 (Bahamas Sup. Ct.) (croupiers); [Clement] *Ferguson v. Baha Mar Develop. Co. Ltd.*, [2011] 1 BHS J. No. 33 (Bahamas Sup. Ct.) (shift manager and two dealers); *Keith v. Ruffin's Crystal Palace Hotel Corp. Ltd.*, [2008] 2 BHS J. No. 44 (Bahamas Sup. Ct.) (vice president of casino operations); *R. v. Almoraes-Jones ex parte Driftwood Freeport Ltd.*, [2005] 5 BHS J. No. 588 (Bahamas Sup. Ct.) (non-managerial employees); *Mackay v. Ruffin Crystal Palace Hotel Corp.*, [2002] BHS J. No. 63 (Bahamas Sup. Ct.) (slot machine supervisor); *Minnis v. Attorney Gen. of the Commw. of the Bahamas*, [1998] BHS J. No. 73 (Bahamas Sup. Ct.) (croupiers and surveillance operators); *Princess Casino Ltd. v. Attorney Gen. of the Commw. of the Bahamas*, [1993] BHS J. No. 81 (Bahamas Sup. Ct.) (assorted employees); *Edwards v. Carnival Leisure Indus. Ltd.*, [1991] BHS J. No. 85 (Bahamas Sup. Ct.) (slots supervisor); *Rolle v. Paradise Enterps. Ltd.*, [2004] BHS J. No. 39 (Bahamas Indus. Trib.) (games supervisor); *Smith v. Kerzner Int'l Ltd.*, [2004] BHS J. No. 5 (Bahamas Indus. Trib.) (cashier); *Gardiner v. Nassau Marriott Resort & Casino*, [2002] BHS J. No. 149 (Bahamas Indus. Trib.) (cashier); *Newry-Hanna v. Ruffin Crystal Palace Casino Ltd.*, [2002] BHS J. No. 140 (Bahamas Indus. Trib.) (cashier); *Rahming v. Ruffin Crystal Palace Casino Co. Ltd.*, [2002] BHS J. No. 126 (Bahamas Indus. Trib.) (gaming supervisor); *Cooper v. Paradise Enterps. Ltd.*, [2000] BHS J. No. 277 (Bahamas Indus. Trib.) (cage operations supervisor); *Greene v. Ruffin Leisure Indus. Ltd.*, [2000] BHS J. No. 252 (Bahamas Indus. Trib.) (games supervisor); *Gaitor v. Paradise Enterps. Ltd.*, [1999] BHS J. No. 264 (Bahamas Indus. Trib.) (security guard); *Bahamas Hotel Managerial Ass'n v. Atlantis Paradise Island Resort & Casino Sun Int'l*, [1999] BHS J. No. 288 (Bahamas Indus. Trib.) (cage supervisor); *Bethel v. Ruffin Leisure Indus. Ltd.*, [1999] BHS J. No. 272 (Bahamas Indus. Trib.) (surveillance operator); *Sealy v. Nassau Marriot Resort & Crystal Palace Casino*, [1998] BHS J. No. 214 (Bahamas Indus. Trib.) (credit manager); *Wemyss v. Paradise Resorts and Casino*, [1998] BHS J. No. 204 (Bahamas Indus. Trib.) (casino bar manager); *Wallace v. Nassau Marriott & Crystal Palace Casino*, [1998] BHS J. No. 203 (Bahamas Indus. Trib.) (croupier); *Brown v. Nassau Marriott Crystal Palace & Casino*, [1998] BHS J. No. 184 (Bahamas Indus. Trib.) (security director); *Brannen v. Paradise Enterps. Ltd.*, [1998] BHS J. No. 192 (Bahamas Indus. Trib.) (slot attendant).

For non-employee disputes, *see, e.g.*, *Carnival Leisure Indus. Ltd. v. Bahamas Elec. Corp.*, [1989] BHS J. No. 20 (Bahamas Ct. App.) (billing dispute between casino and electric company); *Andrulis v. Ruffin's Crystal Palace Hotel Corp.*, [2003] BHS J. No. 82 (Bahamas Sup. Ct.) (damages awarded to casino players wrongfully accused of cheating).

country, each on a different island.¹⁸ The Atlantis Resort Casino¹⁹ is on Paradise Island; the Baha Mar Casino at the Grand Hyatt²⁰ is on New Providence Island; and the Resorts World Bimini Casino²¹ is on North Bimini Island. All are as expansive as they are lavish.²² At 100,000 square feet, the Baha Mar Casino (1,140 slot machines and 119 table games) is the largest casino in the Caribbean.²³ The minimum age to gamble in The Bahamas is 18.²⁴

C. Barbados

History: British possession until 1966

Location: Windward Islands (1,596 miles southeast of Miami)

Area: 169 square miles

Population: 287,000

Capital: Bridgetown

Principal Language: English

Currency: Barbadian Dollar

Casino gambling is illegal in Barbados,²⁵ although other forms of wagering (e.g., horseracing, lotteries, and slot machines) are permitted.²⁶ Since 2012, cruise ships that dock overnight in Barbados have been permitted to keep their casinos open for their passengers.²⁷

Whether Barbados should legalize casino gambling has been debated for decades.²⁸ In the meantime, the closest casinos are 45 minutes away (by plane) in Martinique.²⁹

D. Cuba

History: Spanish possession until 1898; U.S. possession from 1898 to 1902

Location: Greater Antilles (330 miles southeast of Miami)

Area: 42,426 square miles

Population: 11.3 million

Capital: Havana

¹⁸See *Bahamas Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/bahamas>.

Pursuant to the Cruise Ships (Overnighting Incentives) Act, 1995, § 11, available at http://laws.bahamas.gov.bs/cms/images/LEGISLATION/PRINCIPAL/1995/1995-0031/CruiseShipsOvernightingIncentivesAct_1.pdf, cruise ships that dock overnight in The Bahamas are eligible for special licenses that allow them to keep their casinos open while in port (but only for passengers).

¹⁹ATLANTIS RESORT CASINO, <https://www.atlantisbahamas.com/casino>.

²⁰BAHA MAR CASINO, <https://bahamar.com/casino/>.

²¹RESORTS WORLD BIMINI CASINO, <https://www.rwbimini.com/casino>.

²²See *The Bahamas Casinos: The Bahamas is Home to a Few Extravagant Casinos*, CARIBYA!, <http://caribya.com/bahamas/casinos/>.

²³If the Baha Mar casino was in Las Vegas, it would rank 11th in terms of size and be bigger than the casinos at Excalibur, Harrah's, Mirage, and Paris Las Vegas. See Zeke Quezada, *The 10 Biggest Las Vegas Casinos*, TRIP SAVVY (June 26, 2019), <https://www.tripsavvy.com/the-biggest-las-vegas-casinos-4156543>.

Prior to its opening in 2017, the Baha Mar was at the center of a bankruptcy case that was so large (\$3.5 billion) it threatened the Bahamian government's credit rating. See John Lippert and Dawn McCarty, *The Ghosts of Baha Mar: How a \$3.5 Billion Paradise Went Bust*, BLOOMBERG (Jan. 4, 2016), <https://www.bloomberg.com/news/articles/2016-01-04/the-ghosts-of-baha-mar-how-a-3-5-billion-paradise-went-bust>. See also National Ins. Bd. of the Commnw. of The Bahamas v. Baha Mar Ltd., [2017] 1 BHS J. No. 7 (Bahamas Sup. Ct.), available at <https://www.lexisnexis.com> (recounting the litigation). When originally unveiled in 2005, the \$4.2 billion project was expected to cost \$1.6 billion. See Shivani Vora, *In the Bahamas, a Long-Awaited Opening for Baha Mar Resort*, N.Y. TIMES (Apr. 17, 2017), <https://www.nytimes.com/2017/04/17/travel/bahamas-baha-mar-resort-nassau-hotel-casino-opening.html>.

²⁴Bahamian citizens, as well as foreign permanent residents, are prohibited from playing in the country's casinos (they may, however, work in them). See 2014 Act, *supra* note 17, at § 69(4)–(6). See also Cedric Moss, *Gambling and The Bahamas Constitution*, TRIB. (Nassau) (Jan. 5, 2017), <http://www.tribune242.com/news/2017/jan/06/gambling-and-bahamas-constitution/> (letter to the editor arguing that these prohibitions are constitutional). Moss wrote his letter in response to an incident involving Andrew Wilson, the leader of the Democratic National Alliance (one of The Bahamas' three main political parties). While playing craps at the Atlantis casino on New Year's Day, Wilson was escorted off the premises. In a subsequent press conference, Wilson told reporters he was "firm in [his] conviction"

that the country's constitution "provides me with protection from discrimination and the pursuit of happiness." Nico Scavella, *DNA Chairman: I Don't Expect to Be Punished for Gambling in Atlantis*, TRIB. (Nassau) (Jan. 4, 2017), <http://www.tribune242.com/news/2017/jan/04/dna-chairman-i-dont-expect-be-punished-gambling-at/>.

²⁵See Gaming Act of 1891, as amended, available at <https://www.barbadoslawcourts.gov.bb/laws/> (under Chapters 134 and 135).

²⁶See *Barbados Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/barbados> ("True casino gambling is not currently allowed in Barbados, so you won't find roulette, craps, blackjack, or baccarat. . . . You will find well over a dozen slot machine arcades, a sports book, racetrack, and a popular lottery. . . ."). Non-casino gambling is authorized by the Betting and Gaming Act of 1984. See Chapter 134A of the Consolidated Laws of Barbados, available at <https://www.barbadoslawcourts.gov.bb/laws/>. See also *Barbados Government Licenses Yet Another Gambling Casino—Nation News Treads Oh So Delicately*, BARBADOS FREE PRESS (May 13, 2007), <https://barbadosfreepress.wordpress.com/2007/05/13/barbados-government-licenses-yet-another-gambling-casino-nation-news-treads-oh-so-delicately/> (lengthy editorial blasting the government for licensing yet another slots parlor and taking the rival *Nation News* to task for not demanding that the expansion stop).

²⁷See Cruise Ships (Opening of Facilities) Act, 2012, available at https://www.barbadosparliament.com/uploads/bill_resolution/e0f3d2ce4dbc457c78709d2446023ff1.pdf, as amended by the Cruise Ships (Opening of Facilities) (Amendment) Act, 2015, available at <https://www.barbadosparliament.com/bills/details/77>.

²⁸See, e.g., POLLY PATTULLO, LAST RESORTS: THE COST OF TOURISM IN THE CARIBBEAN 96 (1996) ("We don't have casinos in Barbados," said the Permanent Secretary in the Ministry of Tourism in February 1994, "but tomorrow is another day."). See also Clyde Jones, *No Gambling Here a Myth*, NATION NEWS (Feb. 23, 2015), https://www.nationnews.com/nationnews/letters_to_editor/63903/gambling-myth (letter to the editor supporting casinos); *Opposition Leader: Casino Gambling Coming?*, BARBADOS ADVOC. (Mar. 22, 2019), <https://www.barbadosadvocate.com/news/opposition-leader-casino-gambling-coming>; *Should Barbados Consider the Legalisation of Gambling?*, BAJAN REP. (Mar. 21, 2019), <https://www.bajanreporter.com/2019/03/should-barbados-consider-the-legalisation-of-gambling/>.

²⁹See *Casinos in and Near Bridgetown, Barbados*, CASINO AVENUE, <https://www.casinosavenue.com/en/casinos/searchByDistance/?city=bridgetown&id=5893&page=1>.

Principal Language: Spanish

Currency: Cuban Peso

Until 1958, casinos (run by the U.S. mob) flourished in Cuba.³⁰ In 1959, they were forced to shut down after Fidel Castro came to power.³¹ With the end of Castro's rule (in 2011), many U.S. observers believe it is only a matter of time until Cuba again legalizes casinos.³²

E. Dominica

History: British possession until 1978

Location: Windward Islands (1,408 miles southeast of Miami)

Area: 290 square miles

Population: 72,000

Capital: Roseau

Principal Language: English

Currency: Eastern Caribbean Dollar

Casino gambling is illegal in Dominica,³³ part of the country's rejection of mass tourism.³⁴ However, the

casinos on Guadeloupe and Martinique can be reached quickly by plane (two hours) or slowly by ferry (eight hours).³⁵

F. Dominican Republic

History: Spanish possession until 1821

Location: Greater Antilles (803 miles southeast of Miami)

Area: 18,792 square miles

Population: 10.8 million

Capital: Santo Domingo

Principal Language: Spanish

Currency: Dominican Peso

Casinos have been legal in the Dominican Republic (the eastern side of the island of Hispaniola) since 1964.³⁶ At present, the country has 30 casinos, with the majority located either in Punta Cana (eight), a beach area in La Altagracia (the country's easternmost province), or Santo Domingo (12).³⁷ The two largest casinos are the Hard Rock Hotel &

³⁰To ensure that its casinos would not be bothered, the mob cut a secret deal with the Cuban government: "It was [Meyer] Lansky who opened up what was for a time the syndicate's greatest source of income, gambling in Havana. He alone handled negotiations with dictator Fulgencio Batista for a complete monopoly of gambling in Cuba. Lansky was said to have personally deposited \$3 million in a Zurich, Switzerland, bank for Batista and arranged to pay the ruling military junta, namely Batista, 50 percent of the profits thereafter." CARL SIFAKIS, *THE MAFIA ENCYCLOPEDIA* 252 (3d ed. 2005).

³¹See *Gonzalez v. Commissioner*, 36 T.C.M. (CCH) 982, 1977 WL 3532 (1977) (describing the closing of Havana's casinos). Art. 251 in Chapter XV ("Prohibited Games") of the Cuban Penal Code, available at <http://www.parlamentocubano.gob.cu/index.php/documento/codigo-penal/>, now makes all forms of gambling illegal.

Castro's decision to ban casinos, as well as his subsequent unsuccessful attempt to restart them, is the subject of numerous books. See, e.g., TONY L. HENTHORNE, *TOURISM IN CUBA: CASINOS, CASTROS, AND CHALLENGES* (2018); EDUARDO SÁENZ ROYNER, *THE CUBAN CONNECTION: DRUG TRAFFICKING, SMUGGLING, AND GAMBLING IN CUBA FROM THE 1920s TO THE REVOLUTION* (2009); T.J. ENGLISH, *HAVANA NOCTURNE: HOW THE MOB OWNED CUBA . . . AND THEN LOST IT TO THE REVOLUTION* (2008). It also figures in two major films: *THE GODFATHER: PART II* (Paramount Pictures 1974) (which stars Al Pacino as mobster Michael Corleone, who travels to Havana on the eve of the revolution and, at a party for Batista, is introduced as "Mr. Michael Corleone of Nevada representing our associates in tourism and leisure activities."), and *HAVANA* (Universal Pictures 1990) (which stars Robert Redford as professional gambler Jack Weil, who likewise finds himself in Havana on the eve of the revolution). As has been pointed out elsewhere, "the activity of Castro in closing down Havana gaming caused a major spread of gaming elsewhere." THOMPSON, *supra* note 5, at 89. As Thompson further explains, no one worked harder to take advantage of the sudden void than former Nevada lieutenant governor Clifford A. Jones, who "began campaigns in one small country after another to legalize casinos and then began operations that he would later sell to (or share with) local parties for high profits." *Id.* Jones and his partner—Jacob "Jake" Kozloff—did little to hide their plans, which were laid out in a *New York Times* article just three weeks after Castro seized control of the country. See *Two Nevadans Plan Caribbean Casinos*, N.Y. TIMES, Jan. 25, 1959, at 2. For a further look at Jones and Kozloff, see RALPH P. POLLACK, *CASINO CHIPS AND TOKENS OF THE DUTCH CARIBBEAN: ARUBA, BONAIRE, CURACAO, AND ST. MAARTEN* (1998).

³²See, e.g., Steven J. Brody, *Betting on Cuba: A Path for the Reintroduction of Casino Gaming to the Island*, 22 GAMING L. REV. 362 (2018); I. Nelson Rose,

Casinos Coming to Cuba—Again, 19 GAMING L. REV. 414 (2015). See also Marcy Kreiter, *A Trump Casino in Cuba? Donald Trump Reportedly Explored Doing Business in Cuba in Violation of US Policy*, INT'L BUS. TIMES (Sept. 29, 2016), <https://www.ibtimes.com/trump-casino-cuba-donald-trump-reportedly-explored-doing-business-cuba-violation-us-2424258>.

³³See § 27 of the Small Charges Act of 1891, as amended, available at <http://www.dominica.gov.dm/laws/chapters/chap10-39.pdf> (under Chapter 10-39). Section 27 (5)–(6) exempts lotteries, and this loophole has been used since 2012 by a slot parlor in downtown Roseau called the Mapau Entertainment Centre (<https://www.facebook.com/mapaudominica/>). See *Gaming Company to Open Shop; Government Insists It's Not Casino Gambling*, DOMINICA NEWS ONLINE (Mar. 12, 2012), <https://dominicanewsonline.com/news/homepage/news/economy-development/gaming-company-to-open-shop-government-insist-its-not-gambling/> (quoting Prime Minister Roosevelt Skerit as saying that while "[t]here is no casino gambling in Dominica," Mapau's operation is not a casino because it only has "slot machines.").

³⁴Instead, the island promotes eco-tourism. See, e.g., Matt Gross, *Devastation Everywhere [After Hurricanes Irma and Maria], But Still a Destination*, N.Y. TIMES, Mar. 25, 2018, at 10 (Travel).

³⁵See *Dominica Casinos: Dominica Has Rules Against Casinos and Gambling, But Neighboring Islands Do Not*, CARIBYA!, <http://caribya.com/dominica/casinos/>.

³⁶See Law 351-64, available at <https://www.casinos.gob.do/documents/2012/37853/ley-351-No-08-08-64.pdf/a25c7000-324c-e9da-4d63-ad2aa2b05946>. The country's casinos are regulated by the Dirección de Casinos y Juegos de Azar (DCJA) (Dominican Gaming Board) (<https://www.casinos.gob.do/>). The DCJA's website includes the 2006 and 2011 amendments to Law 351-64, as well as the country's various casino regulations. See <https://www.casinos.gob.do/web/guest/marco-legal>. For court cases, see https://www.poderjudicial.gob.do/consultas/jurisprudencia/boletin_judicial.

Casinos existed in the Dominican Republic prior to 1964, but only with the approval of dictator Rafael L. Trujillo (1930–61). See THOMPSON, *supra* note 5, at 107 ("During the rule of . . . Trujillo . . . foreign casino interests established properties that were essentially governed by the dictator, largely for his benefit as well as that of the owners.").

³⁷See *Dominican Republic Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/dominican-republic>. A new casino resort is scheduled to open in Punta Cana in June 2020. See *Punta Cana is Getting a New Casino Resort*, CARIBBEAN J. (Jan. 14, 2020), <https://www.caribjournal.com/2020/01/14/punta-cana-casino-resort-serenade-new/> ("Serenade Caribbean Hotels has announced plans to open

Casino in Punta Cana,³⁸ which has 386 slot machines and 41 table games, and the Ramada Santo Domingo Princess Hotel,³⁹ which has 400 slot machines and 22 table games. The minimum age to gamble in the Dominican Republic is 18.

G. Grenada

History: British possession until 1974

Location: Windward Islands (1,529 miles southeast of Miami)

Area: 135 square miles

Population: 113,000

Capital: Saint George's

Principal Language: English

Currency: Eastern Caribbean Dollar

Casino gambling in Grenada was legalized in 2014 to boost the economy.⁴⁰ Currently, however, the country has no casinos. This is because casinos are only permitted in hotels that have at least 300 rooms⁴¹

and Grenada's largest hotel—the Royalton Grenada, which opened in 2020—has 269 rooms.⁴² The minimum age to gamble in Grenada is 18.⁴³

H. Haiti

History: French possession until 1825

Location: Greater Antilles (689 miles southeast of Miami)

Area: 10,710 square miles

Population: 11.4 million

Capital: Port-au-Prince

Principal Languages: French and Haitian Creole

Currency: Haitian Gourde

Following Cuba's decision to close its casinos in 1959,⁴⁴ Haiti (the western side of the island of Hispaniola) in 1960 legalized casino gambling to attract Cuba's displaced operators.⁴⁵ The new Haitian law required each casino to be approved by the president⁴⁶ and located in a hotel having at least 200

(continued)

a 603-room all-inclusive casino resort [called Serenade Punta Cana Beach, Spa & Casino Resort] . . . on Punta Cana's Playa Cabeza de Toro. . . ."

³⁸HARD ROCK HOTEL & CASINO PUNTA CANA, <https://www.hardrockhotel.puntacana.com/>.

³⁹RAMADA SANTO DOMINGO PRINCESS HOTEL, <https://www.wyndhamhotels.com/ramada/santo-domingo-dominican-republic/ramada-santo-domingo-princess/overview>.

⁴⁰See Linda Straker, *Casino Gambling Approved*, NOW GRENADA (Aug. 26, 2014), <https://www.nowgrenada.com/2014/08/casino-gambling-approved/>. See also Naline Ramdeen-Joseph, *Evaluating the Potential Impacts of the Introduction of Casino Gambling in Grenada* (2015), available at https://www.researchgate.net/publication/336613763_Evaluating_the_Potential_Impact_of_Casino_Gambling_in_Grenada.

The Casino Gaming Act of 2014 can be found at <https://www.mgovernance.net/sites/hop/files/Acts-SROs/2014/Act%20No.%2040%20of%202014%20Casino%20Gaming%20Act%2C%202014.pdf>. Among other things, it authorizes the establishment of a Casino Gaming Commission (no website).

It is somewhat ironic that Grenada now has legalized casino gambling:

A regional conference on the socio-cultural and environmental impact of tourism on Caribbean societies held in Grenada in 1979 . . . recorded that gambling was not "productive," that professional gamblers spent money only in the casino and that there was a "high correlation between gambling and organized crime." The "gut feeling" of the conference was that "gambling is not considered necessary or desirable" nor a useful extra "attraction" for the tourist industry. It recommended that "great caution" should be exercised by governments in deciding their policy on gambling.

PATTULLO, *supra* note 28, at 95–96.

⁴¹See 2014 Act, *supra* note 40, at § 12(1).

⁴²See *Royalton Opens New All-Inclusive Hotel in Grenada*, CARIBBEAN J. (Mar. 1, 2020), <https://www.caribjournal.com/2020/03/01/all-inclusive-grenada-royalton-opens/>.

In 2012, Prime Minister Tillman J. Thomas fired Environment Minister Joseph A. Gilbert after it was discovered that Gilbert had promised a casino license to Harbor Holdings Ltd., which Thomas said could lead to "significant damaging consequences." See Dan Townend, *Grenada PM Sacks Minister over Foreign Casino License Row*, GAMBLING COMPLIANCE (Jan. 24, 2012), https://gamblingcompliance.com/premium-content/insights_analysis/grenada-pm-sacks-minister-over-foreign

casino-license-row. In 2015, Harbor Holdings requested permission to build a casino resort at Virgin Beach in Saint George's. See *Harbor Holdings Return*, GBN Television (Jan. 14, 2015), [https://www.facebook.com/gbntelevisionnews/videos/10155052113655464/](https://www.facebook.com/gbntelelevisionnews/videos/10155052113655464/). The status of this project is unclear.

In 2016, Spice Casinos Resorts and Entertainment Ltd. applied for a license for a planned casino resort at Mount Hartman in Saint George's. See *Notice of Application for Licence*, CARIB UPDATE WEEKLY, Mar. 31–Apr. 6, 2016, at 16, available at <https://issuu.com/caribupdateweekly/docs/binder1>. The status of this project also is unclear.

⁴³If a casino is built in Grenada, § 19(1) of the 2014 Act, *supra* note 40, will prohibit locals from playing in it.

⁴⁴See *supra* note 31 and accompanying text.

⁴⁵By this time, the U.S. mob had been running the illegal International Casino d'Haiti in Port-au-Prince for 11 years. See Jack Bell, *Haiti Casino*, MIAMI HERALD, Nov. 12, 1959, at 1C. One author has described the casino as follows:

Little balls splashed into metallic dishes. Little clicks hopped around grand devices. Little rumors about ownership flew by the telejol [television]. Whenever I stopped by, the International Casino d'Haiti reminded me of a funeral parlor, croupiers presiding over the death of money. Yet there were suddenly-rich Haitians and less-suddenly-rich tourists who patronized this place[,] which resembled a pre-Castro Cuban casino, only made of toothpaste. The air-conditioning, the darkness, the "Haitian hostesses dressed in Creole costumes," the "Latin-type shows[.]" provided an atmosphere appropriate for visitors to Haiti who didn't want to be in Haiti.

HERBERT GOLD, *BEST NIGHTMARE ON EARTH: A LIFE IN HAITI* 171 (Routledge ed. 2017) (1991).

⁴⁶See THOMPSON, *supra* note 5, at 177 ("In 1960, [Haiti's corrupt president] Papa Doc Duvalier guided the national legislature in passing a casino law. . . . In truth, the 1960 legislation was just a piece of paper that would justify Duvalier's invitation for new casino entrepreneurs to come on in and . . . offer [him a bribe]."). See also *McMahon v. Caribbean Mills, Inc.*, 332 F.2d 641 (10th Cir. 1964) (rejecting appellant's argument that because the promissory notes it used to obtain a Haitian casino license represented kickbacks to the country's president, appellee (a holder-in-due course) was estopped from suing on them); *McMahon v. Weesner*, 254 F. Supp. 839 (S.D. Fla. 1966) (first co-maker of promissory notes used to purchase Haitian casino license entitled to contribution from second co-maker).

rooms.⁴⁷ As Haiti had no large hotels, the hoped-for influx from Cuba failed to materialize.

Haiti continues to require casinos to obtain presidential approval.⁴⁸ Currently, the country has two casinos, both in Port-au-Prince: The Four Aces Casino⁴⁹ and the NH Haiti El Rancho Hotel and Casino.⁵⁰ The Casino El Rancho, with 100 slot machines and 15 table games, is the larger of the pair. The minimum age to gamble in Haiti is 18.

I. Jamaica

History: British possession until 1962

Location: Greater Antilles (560 miles southeast of Miami)

Area: 4,244 square miles

Population: 3.0 million

Capital: Kingston

Principal Language: English

Currency: Jamaican Dollar

For many years, Jamaica rejected attempts to legalize casinos because of church opposition.⁵¹ In 2010, however, the government finally pushed through a casino gambling bill in a bid to expand the country's economy.⁵² Under the law, up to three casino licenses

can be granted, but only to resort complexes offering "a mix of tourism amenities and facilities."⁵³

In 2015, the government approved two large-scale projects featuring casinos: Celebration Jamaica,⁵⁴ a \$500 million resort at Montego Bay (in northwest Jamaica), and Harmony Cove,⁵⁵ a \$970 million resort in Trelawny (also in northwest Jamaica).⁵⁶ Both ventures, however, have run into problems, and their futures are uncertain.⁵⁷ The minimum age to gamble in Jamaica is 18.

J. Saint Kitts and Nevis

History: British possession until 1983

Location: Leeward Islands (1,258 miles southeast of Miami)

Area: 101 square miles

Population: 53,000

Capital: Basseterre (on Saint Kitts)

Principal Language: English

Currency: Eastern Caribbean Dollar

Casinos are legal in Saint Kitts (more formally known as Saint Christopher) and Nevis, and the islands' first casino opened in 1976 at the Royal Saint Kitts hotel in Frigate Bay (three miles south of Basseterre).⁵⁸

⁴⁷Casinos also could operate in stand-alone locations, but the law limited them to seven table games.

⁴⁸See Article 342 ("Gambling Houses, Lotteries and Pawn Shops") of the Haitian Penal Code, available at https://web.oas.org/mla/en/Countries_Intro/Haiti_intro_text_fra_2.pdf. See also *Haiti Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/haiti>. As Haiti does not have a casino gambling commission, casinos are overseen by the Ministère de l'Economie et des Finances (Ministry of the Economy and Finance) (<http://www.mef.gouv.ht/>). The 200-room requirement no longer exists.

⁴⁹FOUR ACES CASINO, <https://www.facebook.com/gedquiban/>.

⁵⁰NH HAITI EL RANCHO HOTEL AND CASINO, <https://casinoelrancho.ht/htdocs/>.

⁵¹The closest Jamaica came to legalizing casino gambling occurred in 1983–84, when Prime Minister Edward P.G. Seaga called for a public referendum on the issue. See Joseph B. Treaster, *Jamaica Considers Casinos to Help Economy*, N.Y. TIMES, Aug. 19, 1984, § 1, at 9. Following protests organized by the Council of Churches, Seaga was forced to drop the idea. See CARL STONE, CLASS, STATE, AND DEMOCRACY IN JAMAICA 65–66 (1985).

⁵²See Casino Gaming Act (2010), available at <https://moj.gov.jm/sites/default/files/laws/Casino%20Gaming.pdf>. For an informative study published shortly before the Act's passage, see *Jamaica's Casino Initiative: The Policy Options* (papers presented at the University of the West Indies, Mona Policy Conference, April 2009), available at <https://www.mona.uwi.edu/managementreports/casino-initiative/jamaica-casino-initiative.pdf>.

Recognizing that many Jamaicans remain opposed to casino gambling, the government has vowed that the country will not become a casino hotspot. See Serena Grant, *Jamaica Not Slated to Become a Casino Destination—Minister Bartlett*, JAMAICA INFORMATION SERVICE (Dec. 12, 2018), <https://jis.gov.jm/jamaica-not-slanted-to-become-a-casino-destination-minister-bartlett/>.

Although the 2010 Act created a Casino Gaming Commission (CGC) (<http://www.cgc.gov.jm/>), it, along with the Betting, Gaming & Lotteries Commission (<https://www.bglc.gov.jm/>) and the Jamaica Racing Commission (<http://www.jrc.gov.jm/>),

currently are being reorganized into a single agency to be called the Jamaica Gaming Commission. See *Merger of Gaming Entities Taking Shape*, GLEANER (Kingston) (Oct. 2, 2019), <http://jamaica-gleaner.com/article/news/20191002/merger-aming-entities-taking-shape>. In the meantime, the CGC's detailed website remains operational.

⁵³See 2010 Act, *supra* note 52, at § 9(2). The country's finance minister can increase this number if circumstances warrant. See *id.*

The 2010 Act uses the term "integrated resorts" to describe the type of properties that can qualify for a license. This reflects what has become standard industry jargon. See, e.g., DESMOND LAM, CASINO MANAGEMENT IN INTEGRATED RESORTS (2020).

⁵⁴CELEBRATION JAMAICA, <http://www.celebrationjamaicacasino.com/>.

⁵⁵HARMONY COVE, <http://harmonycove.com/>.

⁵⁶See *Jamaica Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/jamaica>.

⁵⁷See, e.g., Peter Amsel, *See Jamaica Says First Casino to Open by 2020, but Doubts Remain*, CALVINAYRE.COM (Dec. 10, 2018), <https://calvinayre.com/2018/12/10/casino/jamaica-first-resort-casino-open-2020/>; Avia Collinder, *Harmony Cove Developer Selling Off Land, Says Casino Plan Unaffected*, GLEANER (Kingston) (May 3, 2019), <http://jamaica-gleaner.com/article/business/20190503/harmony-cove-developer-selling-land-says-casino-plan-unaffected>.

⁵⁸See *A West Indies Resort Rises*, SUNDAY [DAILY] NEWS (N.Y.), Apr. 25, 1976, at 4 (Travel). See also Ann Rhodes, *Mountains in the Sea*, FIN. POST MAG., Nov. 1976, at 32, 36 (quoting Attorney General Lee L. Moore as saying that residents were prohibited from playing in the casino "for reasons that have little to do with abstract morality and everything to do with economic reality").

Casino gambling now falls under the Betting and Gaming (Control) Act, 1999, as amended, available at <https://aglskn.info/documents/Act02and09TOC/Ch%2017.01%20Betting%20and%20Gaming%20%28Control%29%20Act.pdf>. This law also authorizes the Saint Christopher and Nevis Gaming Board (no website).

Currently, the country has two casinos.⁵⁹ The Mapau Casino⁶⁰ in downtown Basseterre has 145 slot machines and seven table games, while the Royal Beach Casino at the Saint Kitts Marriott Resort Frigate Bay⁶¹ has 300 slot machines and 19 table games. The minimum age to gamble in Saint Kitts and Nevis is 18.⁶²

K. Saint Lucia

History: British possession until 1979

Location: Windward Islands (1,489 miles southeast of Miami)

Area: 238 square miles

Population: 183,000

Capital: Castries

Principal Language: English

Currency: Eastern Caribbean Dollar

Historically, casinos were banned in Saint Lucia due to church opposition.⁶³ In 2001, however, the country legalized casino gambling to increase tourism.⁶⁴ In 2010, after a contentious application process, Treasure Bay,⁶⁵ the country's sole casino, opened

in the Bay Walk Mall in Castries with 350 slot machines and 11 table games.⁶⁶ The minimum age to gamble in Saint Lucia is 18.

L. Saint Vincent and the Grenadines

History: British possession until 1979

Location: Windward Islands (1,512 miles southeast of Miami)

Area: 150 square miles

Population: 111,000

Capital: Kingstown (on the island of Saint Vincent)

Principal Language: English

Currency: Eastern Caribbean Dollar

Casino gambling has been legal in Saint Vincent and the Grenadines since 1968,⁶⁷ and its first casino, in Kingstown, opened in 1977.⁶⁸ Currently, however, the country has no casinos.⁶⁹ The last one—Donald J. Trump's Club Privée on the island of Canouan in the Grenadines—closed in 2010 (it now serves as a hurricane shelter).⁷⁰ The minimum age to gamble in Saint Vincent and the Grenadines is 18.

(continued)

The Saint Kitts Tourism Authority includes a page about casino gambling on its website. See <https://www.stkittstourism.kn/activities/casino>.

⁵⁹See *Saint Kitts Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/saint-kitts>.

⁶⁰MAPAU CASINO, <https://www.facebook.com/mapaustkitts/>.

⁶¹ROYAL BEACH CASINO, <http://royalbeachcasino.com/>.

⁶²The second schedule of the 1999 Act, see *supra* note 58, prohibits "domiciled persons" (i.e., locals) from playing in the country's casinos.

⁶³See, e.g., PATTULLO, *supra* note 28, at 96 ("The St. Lucia government . . . turned down a casino-hotel complex on Pigeon Point causeway only after churches and other island organizations campaigned against it in the early 1990s.").

⁶⁴Originally titled the Gaming Control Act, 2001, the statute now is known as the Gaming, Racing and Betting Act, 2018. See http://slugovprintery.com/template/files/document_for_sale/laws/4278/act%20no%202018.pdf. The 2018 amendments also renamed the Gaming Authority, making it the Gaming, Racing and Betting Authority (no website).

The effort to legalize casino gambling in Saint Lucia was led by the Saint Lucia Hotel and Tourism Association. See Peter Richards, *Tourism—St. Lucia: A New Twist to the Casino Debate*, INTER PRESS NEWS (Feb. 5, 1999), <http://www.ipsnews.net/1999/02/tourism-st-lucia-a-new-twist-to-the-casino-debate/>. The fight over casino gambling is recounted in Rick Wayne, *Foster, Kenny at Odds on Casino Gambling!*, ST. LUCIA STAR (Mar. 31, 2014), <https://stluciarstar.com/foster-kenny-at-odds-on-casino-gambling/>.

⁶⁵TREASURE BAY, <http://treasurebaystlucia.com/>.

⁶⁶See *Saint Lucia Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/saint-lucia>.

Treasure Bay's long struggle to obtain a license is recounted in *Treasure Bay (St. Lucia) Ltd. v. Gaming Auth.*, Claim No. SLUJCV 2011/0456 (E. Caribbean Sup. Ct.—High Ct. 2014), available at <https://www.eccourts.org/treasure-bay-st-lucia-ltd-v-the-gaming-authority-et-al/>. See also Joe Pike, *A Tour of St. Lucia's*

First-Ever Casino, TRAVEL AGENT CENTRAL (Dec. 14, 2010), <https://www.travelagentcentral.com/destinations/a-tour-st-lucia-s-first-ever-casino>.

⁶⁷See *Gambling, Lotteries and Betting Ordinance*, 1968 (No. 27 of 1968) (not available online), and *Gambling and Betting (Licences) Regulations*, 1969 (S.R.O. No. 1 of 1969), available at <https://ufdc.ufl.edu/UF00077473/01060/5j>. As has been explained elsewhere:

[T]he Gambling, Lotteries and Betting Act is the relevant law governing . . . the activities of casinos. . . . The law is administered by [the] Gaming Authority, headed by a five person board of directors. The Authority has the power to grant or renew permits to receive or negotiate bets, or conduct pool betting operations. . . . The Authority has no on-going regulatory role or enforcement powers, or staff. . . .

INTERNATIONAL MONETARY FUND, SAINT VINCENT AND THE GRENADINES: DETAILED ASSESSMENT REPORT ON ANTI-MONEY LAUNDERING AND COMBATting THE FINANCING OF TERRORISM 192 (June 2010), available at <https://www.imf.org/external/pubs/ft/sct/2010/cr10311.pdf>. As this source notes, casinos also are regulated by the Saint Vincent and the Grenadines Financial Intelligence Unit (<https://www.svgfiu.com/index.php>). *Id.* at 36.

⁶⁸Due to strong opposition from church groups, the casino folded after just a few months. See *Casino Closed*, BOSTON SUNDAY GLOBE, Feb. 5, 1978, at 61 (reporting that the casino lost \$200,000 while it was open). See also *St. Vincent Casino Co. Ltd. v. Hillocks*, Civil Appeal No. 7 of 1977 (E. Caribbean Sup. Ct.—App. Ct. 1978), available at <https://app.justis.com/> (unsuccessful attempt by a patron to recover his losses by claiming that the casino was improperly licensed).

⁶⁹See *Saint Vincent and the Grenadines Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/saint-vincent-and-the-grenadines>.

⁷⁰See Chris Caldicott, *An Escape to Canouan Island's Pink Sands Club, Now a Donald Trump-Free Zone*, TELEGRAPH (London) (Nov. 14, 2016), <https://www.telegraph.co.uk/luxury/travel/pink-sands-club-hotel-canouan-island-grenadines-donald-trump-res/>. In 2003, Trump had announced the casino, part of a planned luxury homes community, to great fanfare. See Doreen Hemlock, *Trump to Put His Stamp on Caribbean Island*, S. FLA. SUN-SENTINEL, Dec. 8, 2003, at 10 (Bus.).

M. Trinidad and Tobago

History: British possession until 1962

Location: Windward Islands (1,618 miles southeast of Miami)

Area: 1,981 square miles

Population: 1.4 million

Capital: Port of Spain (on the island of Trinidad)

Principal Language: English

Currency: Trinidad and Tobago Dollar

Casinos are illegal in Trinidad and Tobago.⁷¹ However, because of a legal loophole, casinos can operate if they are run as “private member clubs.”⁷² Currently, there are 90 such clubs in the country, although only a dozen operate as full-scale casinos.⁷³ The largest, in Port of Spain, is the Royal Princess Members Club.⁷⁴ It has 180 slot machines and 12 table games. The minimum age to gamble in Trinidad and Tobago is 18.

III. TERRITORY PROFILES

A. France

1. Guadeloupe

History: French territory since 1674

Location: Leeward Islands (1,366 miles southeast of Miami)

Area: 629 square miles

Population: 400,000

Capital: Basse-Terre (on the island of Basse-Terre)

Principal Language: French

Currency: Euro

Casino gambling is legal in Guadeloupe,⁷⁵ and the territory’s first casino, at the La Caravelle Hotel in Sainte-Anne, opened in 1970.⁷⁶ Currently, the island has two casinos.⁷⁷ The Casino du Gosier⁷⁸ on Basse-Terre Island has 180 slot machines and seven table games, while the Casino du Saint-François⁷⁹ on Grande-Terre Island has 91 slot machines and four table games. The minimum age to gamble in Guadeloupe is 21.

2. Martinique

History: French territory since 1635

Location: Windward Islands (1,457 miles southeast of Miami)

Area: 424 square miles

Population: 375,000

Capital: Fort-de-France

Principal Language: French

Currency: Euro

Casino gambling is legal in Martinique,⁸⁰ and the territory’s first casino, at the Martinique Hilton in Fort-de-France, opened in 1971.⁸¹ At present, the island

⁷¹See Gambling and Betting Act, 1963, as amended, available at https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/11.19.pdf.

In 2015, the country’s house of representatives unanimously passed the Gambling (Gaming and Betting) Control Bill, which would have legalized casinos, but the measure failed to win senate approval. See <http://www.ttparliament.org/publications.php?mid=28&id=726>. The bill was reintroduced in 2016 and subsequently was referred to a joint select committee, which was instructed to study it and report back. At the end of 2018, the committee requested an extension until May 31, 2019. See <http://www.ttparliament.org/reports/p11-s4-J-20190111-GAMB-Ri.pdf>. On September 20, 2019, the committee recommended that the bill be given further study. See <http://www.ttparliament.org/reports/p11-s4-J-20190920-GAMB-R.pdf>.

⁷²The loophole was closed in 2007, with casinos given five years to shut down. See Verne Burnett, *Casino Crackdown*, TRINIDAD GUARDIAN (May 24, 2007), <http://legacy.guardian.co.tt/archives/2007-05-26/bussguardian1.html>. To date, the government has not enforced this order because an estimated 7,000 club workers would lose their jobs.

⁷³See *Trinidad and Tobago Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/trinidad-and-tobago>. See also Sue Schneider, *Gaming in Paradise*, 19 GAMING L. REV. 277, 278 (2015). For court cases, see, e.g., *Lewis v. Club Monte Carlo*, Case No. S 198 of 2002 (Trinidad & Tobago High Ct. 2011), available at <https://app.justis.com/> (unsuccessful lawsuit by club member for personal injuries sustained while being ejected for cheating); *Government Indus. & Gen. Workers Union v. Island Club Casino Ltd.*, Trade Dispute No. 353 of 2009 (Trinidad & Tobago Indus. Ct. 2011), available at <https://app.justis.com/> (suit challenging the firing of seven dealers); National Union of Gov’t & Federated

Workers v. Casino Royal Trinidad & Tobago, Case No. 130 of 2004 (Trinidad & Tobago Indus. Ct. 2005), available at <https://app.justis.com/> (dispute over trainee-dealer tips).

⁷⁴ROYAL PRINCESS MEMBERS CLUB, <https://worldofprincess.com/properties/trinidad-royal-princess-members-club/>.

⁷⁵As a French overseas department since 1946, Guadeloupe is bound by French law, including French gambling laws, which have permitted casino gambling (in one form or another) since 1907. See Jean-Louis Harouel, *From Francis I to Online Betting: The History of Gambling in France* (in French), 139:4 POUVOIRS 5 (2011). French casino licenses are issued by the Ministry of the Interior (<https://www.interieur.gouv.fr/>) in Paris with the approval of local officials. For a further discussion, see Laurent Badiane and Matthieu Bourgeois, *France: Gambling 2020*, ICLG.COM, at <https://iclg.com/practice-areas/gambling-laws-and-regulations/france>.

⁷⁶See *Guadeloupe Gambling*, SUNDAY [DAILY] NEWS (N.Y.), Feb. 15, 1970, at 25S.

⁷⁷See *Guadeloupe Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasino.com/directory.com/guadeloupe>.

⁷⁸CASINO DU GOSIER, <http://www.casinodugosier.com/>.

⁷⁹CASINO DU SAINT-FRANÇOIS, <http://www.casinosaintfrancois.com/>.

⁸⁰As a French overseas department since 1946, Martinique is bound by French law, including French gambling laws. See *supra* note 75.

⁸¹See *Martinique Casino Opens*, MIAMI HERALD, Jan. 24, 1971, at 8J.

has two casinos.⁸² One is the Casino Batelière Plaza⁸³ in Fort-de-France, which has 144 slot machines and 10 table games. The other is the Casino Trois-Ilets⁸⁴ in Anse Mitan (a seaside resort area 25 minutes by ferry from Fort-de-France), which has 70 slot machines and four table games. The minimum age to gamble in Martinique is 18.

3. Saint Barthélemy

History: French territory since 1878
 Location: Leeward Islands (1,236 miles southeast of Miami)
 Area: 9.7 square miles
 Population: 9,900
 Capital: Gustavia
 Principal Language: French
 Currency: Euro

At present, there are no casinos on Saint Barthélemy.⁸⁵ However, the casinos on Sint Maarten (20 miles to the north), as well as the ones on Saint Kitts (40 miles to the south), are close by for those who want to gamble.⁸⁶

As one source has explained, local opposition accounts for the lack of casino gambling in Saint Barthélemy: “St. Barthelemy . . . is a popular holiday destination amongst the rich and famous, so there is no doubt any gambling business would prove to be quite lucrative. However, locals (both residents and the authorities) seem to be against the idea. They

want to keep the tranquil atmosphere and somewhat old-world charm of St. Barts.”⁸⁷

4. Saint-Martin

History: French territory since 1648
 Location: Leeward Islands (1,218 miles southeast of Miami)
 Area: 20 square miles
 Population: 39,000
 Capital: Marigot
 Principal Language: French
 Currency: Euro

At present, there are no casinos in French Saint-Martin (the island of Saint Martin’s northern side).⁸⁸ However, there are numerous casinos in Dutch Sint Maarten (the island’s southern side).⁸⁹

B. Great Britain

1. Anguilla

History: British territory since 1650
 Location: Leeward Islands (1,212 miles southeast of Miami)
 Area: 35 square miles
 Population: 15,000
 Capital: The Valley
 Principal Language: English
 Currency: Eastern Caribbean Dollar

Largely because of church opposition, casinos are illegal in Anguilla.⁹⁰ As a result, residents and tourists

⁸²See *Martinique Casinos: If You’re 18-Years-Old or Older, Casino Gambling Is an Activity You Can Bet On*, CARIBYA!, <http://caribya.com/martinique/casinos/>.

⁸³CASINO BATELIÈRE PLAZZA, <http://www.casinobateliereplazza.com/>.

⁸⁴CASINO TROIS-ILETS, <http://www.casinotroisilets.com/>.

⁸⁵See Bob Schulman, *All Kinds of Things You Won’t See on St. Barts*, HUFFINGTON POST (Sept. 24, 2013, updated Dec. 6, 2017), at https://www.huffpost.com/entry/all-kinds-of-things-you-w_b_3972209.

As a French overseas collectivity since 2007, Saint Barthélemy is bound by French law, including French gambling laws. See *supra* note 75.

⁸⁶See *Simon’s Gambling and Casino Guide—St. Barthelemy*, SIMON’S ONLINE GAMBLING BLOG, <https://simonsblogpark.com/onlinegambling/simons-gambling-and-casino-guide-st-barthelemy/amp/>.

⁸⁷*Id.*

⁸⁸See *St. Martin Casinos: St. Martin’s Guests Will Have to Cross the Border to St. Maarten to Play the Slots*, CARIBYA!, <http://caribya.com/st.martin/casinos/> [hereinafter SMC-Caribya].

As a French overseas collectivity since 2007, Saint-Martin is bound by French law, including French gambling laws. See *supra* note 75.

⁸⁹See SMC-Caribya, *supra* note 88 (explaining that “[w]hile casinos are only located on the Dutch side of the island, the easily crossable border means that those staying on the French side need not be left out of the action.”).

⁹⁰See *Anguilla Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasino.com/anguilla>. Gambling of any sort is prohibited by Article 346 of the Anguillan Criminal Code, available at <http://www.gov.ai/laws/C140-Criminal%20Code/>.

In 1969, the short-lived “Anguillan Revolution” resulted in 300 British troops being sent to the island. The goal of the protesters was to reverse Great Britain’s 1967 decision forcing Anguilla, Nevis, and Saint Kitts to become a single “associated state.” For historical reasons, Anguillans considered such a union unacceptable. As the crisis mounted, William C. Whitlock, an under-secretary in the Foreign Office, was sent to Anguilla to calm the protesters. After failing, Whitlock returned to London and

told a news conference the islanders were “completely dominated by a gangster-type element” from outside and “generally the feeling throughout the Caribbean—I don’t know if anyone has any proof—is that they are somehow like the Mafia.”

Whitlock said residents of other islands think that this element wants to establish large gambling casinos on Anguilla.

Anguilla Versus Britain—The Mouse Begins to Roar, CALGARY HERALD, Mar. 18, 1969, at 1. Upon learning what Whitlock had said, one commentator wrote:

[S]ome sort of smear has been put about that Anguilla was in the hands of “Mafia-type gangsters” or perhaps even the dreaded Mafia itself. It was rather hard to make out whether this was meant as an actual assertion of fact or as a generally derogatory term of abuse or whether poor Mr. Whitlock had had such a fright that he was saying the first thing which came into his head.

who want to gamble typically take a 30-minute ferry ride to the casinos in Sint Maarten.⁹¹

2. British Virgin Islands

History: British territory since 1648
 Location: Leeward Islands (1,115 miles southeast of Miami)
 Area: 59 square miles
 Population: 30,000
 Capital: Road Town (on the island of Tortola)
 Principal Language: English
 Currency: United States Dollar

Casinos are illegal in the British Virgin Islands.⁹² One local hotel's website trumpets this fact by saying: "1,000-bedroom Hotel and Casino complex—not coming soon. The 60 beautiful islands of the British Virgin Islands are missing a few other things too. We have no high-rise hotels, no McDonalds, no Starbucks, no Kentucky Fried Chicken, no roller coasters, no sales tax and no VAT [value added tax]."⁹³ The closest casino is in Saint Croix in the U.S. Virgin Islands (50 miles to the south).⁹⁴

3. Cayman Islands

History: British territory since 1670
 Location: Greater Antilles (450 miles south of Miami)
 Area: 102 square miles
 Population: 66,000
 Capital: George Town (on the island of Grand Cayman)
 Principal Language: English
 Currency: Cayman Islands Dollar

Casino gambling is illegal in the Cayman Islands.⁹⁵ Recently, however, it has been reported that there is some support to change the law.⁹⁶ In the meantime, the nearest casinos are 725 miles away in the Dominican Republic.⁹⁷

4. Montserrat

History: British territory since 1632
 Location: Leeward Islands (1,313 miles southeast of Miami)
 Area: 39 square miles
 Population: 5,000

(continued)

A little island like this is, of course we know, very vulnerable and might easily fall [] prey to casino-cum-real-estate speculators, as have other better-known Caribbean islands. It would be strange if none of their envoys had been exploring the possibilities.

Richard Roe, *Trouble in Anguilla*, 113 SOLIC. J. 240, 240 (1969).
 In fact, the protesters were opposed to gambling:

Initially, the breakaway island was led by "President" Peter Adams . . . but in August 1967, the more militant Ronald Webster replaced him. . . . Webster cautioned that the building of even one huge Hilton-like hotel would convert the island into "a nation of bus boys, waiters, and servants." He also critiqued the example of St. Thomas, where locals had become "second class citizens and had to run from their own country," and suggested that a maximum of 30 tourists should visit Anguilla at a time. A devout Seventh-Day Adventist who neither drank nor smoked, Webster rejected a million-dollar deal proposed by magnate Aristotle Onassis because it included the construction of a casino. . . .

Don E. Walicek, *The Anguilla Revolution and Operation Sheepskin*, in CARIBBEAN MILITARY ENCOUNTERS 147, 154–55 (Shalini Puri and Lara Putnam eds. 2017) (footnotes omitted). Peace finally was restored in 1971, and in 1980 Anguilla was permitted to separate from Saint Kitts and Nevis. For a further discussion, see BRIAN DYDE, *OUT OF CROWDED VAGUENESS: A HISTORY OF THE ISLANDS OF ST. KITTS, NEVIS AND ANGUILLA* (2006).

Anguilla subsequently considered but rejected casino gambling:

The Anguillans have studied the prospect of opening gambling casinos, which have helped lure tens of thousands of tourists to St. Martin and other Caribbean islands. But Ronald Webster, a former Chief Minister of Anguilla, says casinos run against the grain of the deeply Christian character of the island. Emile Gumbs, the present Chief Minister, said that "people who come to casinos stay up late at night and they're not pleasant to deal with during the day." Both men feel that Anguilla must be careful to limit its growth so as to preserve the peace and quiet that they believe are among its greatest charms.

Joseph B. Treaster, *For Anguilla, Tie to London is Prosperity*, N.Y. TIMES, Apr. 17, 1988, § 1, at 20.

⁹¹See *Anguilla Casinos: Casino Lovers Can Enjoy a Short Ferry Ride to Nearby Gambling*, CARIBYA!, <http://caribya.com/anguilla/casinos/>.

⁹²See *British Virgin Islands Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/british-virgin-islands>. Gambling of any kind is prohibited by § 301 of the territory's Criminal Code, available at https://bvi.gov.vg/sites/default/files/resources/criminal_code_-_legislation.pdf. See also *British Virgin Islands*, LCB, <https://lcb.org/jurisdictions/british-virgin-islands> ("Anything that has to do with gambling is illegal . . . without exceptions. . . . Knowingly offering or engaging in these activities, or even being in a location where they might be held, is a criminal offense and [can lead to] imprisonment of up to one year in duration, or a fine of up to \$1,000, or . . . both. In case a gambling-related event is suspected to be taking place, the police have the right to enter the facilities and seize all materials and money used in the act.").

⁹³*The BVI, SUGAR MILL HOTEL & RESTAURANT*, <https://www.sugarmillhotel.com/the-bvi>.

⁹⁴See *How to Get from Tortola to St. Croix by Plane or Ferry*, ROME2RIO, <https://www.rome2rio.com/s/Tortola/St-Croix>.

⁹⁵See § 3 of the Gambling Law (2016), available at <http://www.gov.ky/portal/pls/portal/docs/1/12330329.PDF>. See also *Casinos and the Cayman Islands Do Not Go Hand-in-Hand, as One Might Expect*, CARIBYA!, <http://caribya.com/cayman.islands/casinos/>.

⁹⁶See Andrew O'Malley, *Cayman Islands Could End Gambling Ban*, VEGASLOTSONLINE.COM (Jan. 15, 2019), <https://www.vegasslotsonline.com/news/2019/01/15/cayman-islands-could-end-gambling-ban/>.

⁹⁷See Seema Gurmani, *9 Best Casinos in the Cayman Islands for Trying Your Luck!*, TRAVEL TRIANGLE, <https://traveltriangle.com/blog/casinos-in-the-cayman-islands/> (explaining that "[a]s there are no casinos in the Cayman Islands, one has to fly to nearby destinations if one wants to gamble[.]").

Capital: Plymouth (de jure), Brades (de facto),
Little Bay (planned)
Principal Language: English
Currency: Eastern Caribbean Dollar

Due largely to church opposition, casinos are illegal in Montserrat.⁹⁸ The nearest casino is 25 miles away on Antigua (20 minutes by air or 90 minutes by ferry).⁹⁹

As has been written elsewhere:

[Prior to 1989], Montserrat was in demand among tourists, which favourably affected the country's economy. . . . In the heyday of tourism, the Montserrat government tried to legalize gambling in the country, but unfortunately, the attempt was unsuccessful. . . . [H]urricane [Hugo in 1989] dealt a significant blow to the island, and the number of tourists decreased several times. A little later in 1995, there was a strong eruption of volcanoes, as a result of which the capital of the island state was destroyed. In this regard, more than 30 percent of the local population left the island, and tourists completely stopped visiting the country. [As a result,] attempts to make gambling legal have been completely stopped.¹⁰⁰

The pre-Hugo effort to legalize casino gambling was led by Chief Minister John A. Osborne of the People's Liberation Movement.¹⁰¹ Osborne was forced to abandon his plans after a scandal broke out over a land deal, known as "Little Bay," that would have included Montserrat's first casino.¹⁰²

5. Turks and Caicos Islands

History: British territory since 1783
Location: Lucayan Archipelago (600 miles southeast of Miami)
Area: 238 square miles
Population: 39,000
Capital: Cockburn Town (on the island of Grand Turk)
Principal Language: English
Currency: United States Dollar

Casino gambling has been legal in the Turks and Caicos Islands since 1980,¹⁰³ and the first casino—the Ramada Turquoise Reef Beach Club and Casino on Providenciales Island—opened in 1990.¹⁰⁴ Currently, the territory has one casino. Located at Grace Bay on Providenciales Island, the Casablanca Casino¹⁰⁵ has 85 slot machines and 17 table games.¹⁰⁶

For a short time in 2014, a casino on Grand Turk Island, just north of the island's cruise ship passenger

⁹⁸See *Montserrat Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/montserrat>. Section 310 of the Montserrat Penal Code makes all forms of gambling illegal. See http://agc.gov.ms/wp-content/uploads/2010/02/penal_code.pdf.

⁹⁹See Steve Bennett and Patrick Bennett, *Island of Montserrat Travel Guide*, UNCOMMON CARIBBEAN (Mar. 6, 2020), <https://www.uncommoncaribbean.com/montserrat/>.

¹⁰⁰*History of Gambling in Montserrat*, SLOTSPOTS, <https://slotspot.com/country/montserrat-casinos/>.

The 1995 eruption of the Soufrière Hills volcanoes required two-thirds of the island to be declared an "exclusion zone." This order is still in effect. As a result, the few visitors who now make their way to Montserrat do so mainly to experience "dark tourism" (i.e., viewing areas devastated by man-made or natural disasters). See Emma Featherstone, *Life in Montserrat, the "Pompeii of the Caribbean"*, TELEGRAPH (London) (Oct. 2, 2019), <https://www.telegraph.co.uk/travel/cruises/articles/montserrat-caribbean-volcano-cruise/>. See also Aimilia Tikoudi et al., *Locals' Perceptions on the Multidimensional Impact and the Potential of Disaster Tourism: The Case of Montserrat, West Indies*, TOURISM TODAY, Fall 2016, at 75.

¹⁰¹In trying to whip up support for the idea, Osborne directly took on the island's religious leaders: "I once heard [Osborne] on Radio Montserrat berating people, mostly clergymen, who were opposed to the opening of gambling casinos on the island of Montserrat. He said that when the people of Montserrat were hungry, they didn't look to the church for food, or to those other people who opposed the casinos, they looked to the government, and so he had to find a way to feed them." JAMAICA KINCAID, *A SMALL PLACE* 61 (2000).

¹⁰²See Carol Cioe, *Suit Filed over Montserrat Casino Project*, PALM BEACH POST, Oct. 20, 1983, at B2; Deborah Petit, *Developer Charges Double-Dealing in 'Sweet'*

Caribbean Casino Venture, FORT LAUDERDALE NEWS/SUN-SENTINEL, Apr. 1, 1984, at 1A; Carol Cioe, *Montserrat: Calm Island, Hot Politics; Developers Lock Horns in WPB Courtroom*, PALM BEACH POST, Sept. 24, 1984, at C1. See also *Perini Corp. v. National Union Fire Ins. Co. of Pittsburgh, Pa.*, 1988 WL 192453 (D. Mass. 1988) (explaining that the Perini Corporation, Osborne's preferred developer, was forced to spend years defending itself after the scandal erupted—according to Rozah Enterprises, a Palm Beach developer that also was interested in the project, Perini breached its promise not to compete with Rozah).

¹⁰³See Casino Ordinance (1978), as amended, available at <https://www.gov.tc/agc/laws/revised-laws-2018> (under "Chapter 15.01"). The statute is enforced by the Turks and Caicos Gaming Inspectorate (no website), part of the Ministry of Finance, Trade and Investment (<http://tcimall.tc/turks-and-caicos-government-offices/>).

¹⁰⁴See Steven Cody, *There's More Than Diving in the Turks*, ASBURY PARK PRESS (N.J.), Sept. 9, 1990, at E9. See also *Turquoise Reef Hotel, Ltd. v. Lewis C. Bowers & Sons, Inc.*, 1991 WL 172843 (D. Conn. 1991) (upholding a \$2.2 million default judgment against the architect hired to design the project).

¹⁰⁵CASABLANCA CASINO, <http://thecasablancacasino.com/>.

¹⁰⁶See *The Turks and Caicos Casinos: Casino Action in the Turks and Caicos Is Limited, but Plenty of Other Attractions Keep Vacationers Entertained*, CARIBYA!, <http://caribya.com/turks.and.caicos/casinos/>.

In *Casablanca Casinos Ltd. v. Smith*, Case No. CL 157/08 (Turks & Caicos Sup. Ct. 2009), available at <https://app.justis.com/>, the casino sued a patron for 14 unpaid markers totaling \$530,500. The patron argued that 12 of the markers, representing \$470,500, were not his. Finding there to be a genuine dispute, the court denied the casino's motion for summary judgment on the disputed markers but granted its request as to the undisputed markers.

welcome center, operated “in an eye-catching faux pirate ship building.”¹⁰⁷ Since 2015, a Ritz-Carlton resort and casino at Grace Bay has been on the drawing board.¹⁰⁸

The minimum age for visitors to gamble in the Turks and Caicos is 18. Residents, however, must be at least 21 and earn at least \$75,000 a year.¹⁰⁹

C. The Netherlands

1. Aruba

History: Dutch territory since 1636
Location: Leeward Antilles (1,130 miles southeast of Miami)
Area: 69 square miles
Population: 107,000
Capital: Oranjestad
Principal Languages: Dutch and Papiamentu
Currency: Aruban Florin

Casinos are legal in Aruba (so long as they are in hotels),¹¹⁰ and currently there are 13 on the island. Six are in Oranjestad, while the other seven are four miles away in Palm Beach.¹¹¹ Among the best known are the Alhambra Casino¹¹² in Oranjestad, with 450 slot machines and 16 table games, and the Stellaris Casino¹¹³ in Palm Beach, with 500 slot machines and 27 table games. The minimum age to gamble in Aruba is 18.¹¹⁴

Casino gambling has a long history in Aruba. The Aruba Caribbean Casino, the island’s first casino,

opened in 1959 in a building designed by the famed New York architect Morris Lapidus.¹¹⁵ Aruba also is known for being the spot where, in 1988, Caribbean stud poker was invented, although the exact details of the game’s creation remain disputed.¹¹⁶

2. Bonaire

History: Dutch territory since 1636
Location: Leeward Antilles (1,219 miles southeast of Miami)
Area: 114 square miles
Population: 20,000
Capital: Kralendijk
Principal Languages: Dutch and Papiamentu
Currency: United States Dollar

Bonaire is the “B” of the “BES Islands”—the two other BES Islands are Saba and Sint Eustatius. As has been explained elsewhere, the legal status of casino gambling in the BES Islands is unusual:

In [2010], the Netherlands Antilles were dissolved as a unified political entity [and] Bonaire, Saba and Sint Eustatius became part of the Netherlands . . . receiving the status of special municipalities. Thus, the islands must comply with Dutch law.

The operation of a land-based casino must be connected to a hotel venture [because] separate casinos or remote gambling operations are not allowed. License applications need to be filed with the Executive Council of the desired island. Licenses have been granted to two boutique

¹⁰⁷*Turks and Caicos Casinos & Gambling*, VISITTCI, <https://www.visitcci.com/providenciales/entertainment-nightlife-casinos/casinos-and-gambling>.

¹⁰⁸See Press Release, Government of the Turks & Caicos Islands, *Turks and Caicos Islands Government Signs \$224M Ritz Carlton Agreement* (Apr. 2, 2015), <https://www.gov.tc/pressoffice/46-turks-and-caicos-islands-government-signs-224m-ritz-carlton-agreement>. The site plans can be viewed at <https://www.theresidencesturksandcaicos.com/>.

¹⁰⁹Prior to 2007, residents were prohibited from gambling in the islands’ casinos. See Casino Ordinance 1978, c. 15:01, § 18 (as amended), available at <http://online.fliphtml5.com/fizd/xtuq/>.

¹¹⁰See State Ordinance on Games of Hazard, AB 1990 No. GT 44, available at <https://www.overheid.aw/document.php?m=7&fileid=7069&f=02ecb73d941e066d546757ce66ff4a23&attachment=0&c=8377>. Aruban casinos are regulated by the Department of Casino Affairs (http://www.gobierno.aw/home-eng/departments_47030/letter/D/), a unit of the Aruban Ministry of Justice, Security and Integration. For court cases, see <https://uitspraken.rechtspraak.nl/> (under “Statement and News” using the search terms “Aruba” and “casino”).

¹¹¹See *Aruba Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasino.directory.com/aruba>. A new casino is scheduled to open at the Embassy Suites in Oranjestad in 2021. See Jim Dobson, *The Future of Aruba: How the Tiny Caribbean Island Is Bracing for Major New Hotel Development*, FORBES.COM (Feb. 15,

2020), <https://www.forbes.com/sites/jimdobson/2020/02/15/the-future-of-aruba-how-the-tiny-caribbean-island-is-bracing-for-major-new-hotel-development/#64c28191285c>.

¹¹²ALHAMBRA CASINO, <http://www.casinoalhambra.com/>.

¹¹³STELLARIS CASINO, <http://www.stellariscasino.com/>.

¹¹⁴Residents are limited to eight casino visits a month (up from the previous limit of four). See *Aruba*, LCB.ORG, <https://lcb.org/restrictions/aruba>.

¹¹⁵See *Lapidus Will Design Plush Hotel in Aruba; Gambling Casino Planned*, MIAMI SUNDAY NEWS, Mar. 25, 1956, at 7C. On opening night, the celebrated cabaret singer Hildegard was the headline performer. See Earl Wilson, *Hildegard Sings at Opening of Slot Machine Shangri-La*, S.F. EXAMINER, Aug. 3, 1959, § 2, at 5 (reporting that the hotel cost \$5 million to build). The casino was operated by Clifford A. Jones who, as explained *supra* note 31, spent much of his life running Caribbean casinos.

¹¹⁶See *Caribbean Stud History*, CARIBBEAN STUD ONLINE, <https://www.caribbeanstudonline.org/caribbean-stud-history/>. The game received a U.S. patent in 1989. See *Poker Game*, U.S. Patent 4,836,553, available at <https://patentimages.storage.googleapis.com/c8/89/6a/053ded91a4e184/US4836553.pdf> (filed Apr. 18, 1988; granted June 6, 1989).

hotels on Bonaire. Sint Eustatius and Saba do not host land-based casinos.¹¹⁷

Bonaire's first casino, at the Bonaire Hotel, opened in 1964.¹¹⁸ Currently, both of Bonaire's casinos are in Kralendijk.¹¹⁹ The Coral Casino Bonaire at the Plaza Resort¹²⁰ has 80 slot machines and seven table games, while the Divi Flamingo Beach Resort and Casino¹²¹ has 60 slot machines and five table games. Since its debut in 1984, the Divi casino has been known as "The World's First Barefoot Casino" because it does not require patrons to wear shoes (to facilitate easy movement between the casino and the beach).¹²² The minimum age to gamble in Bonaire is 21.

3. Curaçao

History: Dutch territory since 1634

Location: Leeward Antilles (1,188 miles south-east of Miami)

Area: 171 square miles

Population: 164,000

Capital: Willemstad

Principal Languages: Dutch, English, and Papiamentu

Currency: Netherlands Antillean Guilder

Casino gambling is legal in Curaçao,¹²³ although all casinos must be in hotels having at least 150 rooms. At present, the island has 11 casinos (all in Willemstad).¹²⁴ The two largest are the Carnaval Casino at the Renaissance Resort Curaçao,¹²⁵ with 335 slot machines and 19 tables games, and the Casino Veneto at the Holiday Beach Resort and Casino,¹²⁶ with 450 slot machines and 14 table games. The minimum age to gamble in Curaçao is 18.

The island's first casino was the Curaçao Intercontinental Hotel, which opened in 1957.¹²⁷ Casino gambling did not really take off, however, until seven large hotels, each with its own casino, opened in the span of three years (1967–69).¹²⁸ By 1980, casinos were responsible for nearly one-third of the island's tourism earnings.¹²⁹

4. Saba

History: Dutch territory since 1816

Location: Leeward Islands (1,223 miles southeast of Miami)

Area: Five square miles

¹¹⁷ *Bonaire, Sint Eustatius and Saba Casino and Card Room Gaming*, CASINO CITY, <http://www.casinocity.com/bonaire-sint-eustatius-and-saba/casino-and-card-room-gaming/>. For court cases, see <https://uitspraken.rechtspraak.nl/> (under "Statement and News" using the search terms "Bonaire" and "casino").

¹¹⁸ See Herb Rau, *On the Go*, MIAMI NEWS, Apr. 12, 1964, at 10B. See also *Bonaire: Island of the Flamingos*, MIAMI NEWS, Mar. 7, 1965, at 6 (Advertising Supp.) (display ad touting the hotel's "magnificent casino [which] is under the personal direction of Mr. Bud Sweet[.]"). During his long career, Sweet—whose real first name was Floyd and who lived in Hollywood, Florida—ran casinos in such diverse locations as Antigua, Curaçao, Colombia, the Dominican Republic, and Morocco. See *Paid Obituaries*, S. FLA. SUN-SENTINEL, Sept. 18, 2006, at 9B (under "Sweet, Floyd 'Bud'"). See also *infra* note 128.

¹¹⁹ See *Bonaire Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasino.directory.com/bonaire>.

¹²⁰ CORAL CASINO BONAIRE, <https://coralcasinobonaire.com/>.

¹²¹ DIVI FLAMINGO BEACH RESORT AND CASINO, <https://www.diviresorts.com/casino.htm>.

¹²² See *Bonaire: While Adhering to Strict Environmental Policies, Steady Expansion of Tourist Facilities*, 4 ANTILLEN REV. 13, 13 (Nov.–Dec. 1984).

¹²³ See National Ordinance on the Curaçao Casino Sector, AB 1999 No. 97, available at https://gamingcontrol.spn-cdn.com/media/pdf_files/20190423_ab_1999_no_97_landsverordening_casinowezen_curaçao_gt.pdf. The Curaçao Gaming Control Board (<http://gamingcontrolcuracao.org>) regulates the territory's casinos, and its comprehensive website includes copies of the territory's casino laws, see <https://www.gamingcontrolcuracao.org/casinos-legislation>, and its casino regulations. See <https://www.gamingcontrolcuracao.org/regulation/casinos>. For court cases, see <https://uitspraken.rechtspraak.nl/> (under "Statement and News" using the search terms "Curaçao" and "casino").

¹²⁴ See *Curaçao Casinos*, WORLD CASINO DIRECTORY, at <https://www.worldcasino.directory.com/curacao>.

¹²⁵ CARNAVAL CASINO, <http://carnavalcasinocuracao.com>.

¹²⁶ HOLIDAY BEACH RESORT AND CASINO, <https://www.holiday-beach.com/activities/hit-jackpot/>.

¹²⁷ See Ned Aitchison, *Pin-Neat Dutch Island of Curacao is Inviting*, MIAMI HERALD, June 23, 1957, at 7H.

¹²⁸ See Katy Branum, *Celebrating 25 Years of Tourism with Visionaries and Pioneers*, CURAÇAO BUS. MAG. 26, 26 (Jan./Feb. 2015). One of the hotels was the Holiday Inn, which soon became embroiled in a dispute with its casino operator. See *Wilson v. Holiday Inn Curacao N.V.*, 322 F. Supp. 1052 (D. Mass. 1971) (dismissing the operator's action against the hotel for lack of personal jurisdiction). See also *Betancourt v. Wilson*, 409 F. Supp. 598 (D.P.R. 1975) (dismissing the operator's claim against a third-party investor).

Another of the hotels was the Curaçao Hilton. When it opened in 1967, its casino was owned by Bud Sweet, see *supra* note 118, and John Scarne, at the time the world's leading authority on card playing. See John Scarne, *Gambling Expert*, N.Y. TIMES, July 9, 1985, at B6 ("John Lardner, the writer, once wrote, 'Scarne is to games what Einstein is to physics.'"). To ensure that the casino had enough money to operate, Scarne and Sweet were required by Curaçaoan law to place \$250,000 on reserve in a local bank. In 1972, Scarne sold his half of the casino to Sam Sinatra (a first cousin of singer Frank Sinatra) on a handshake (when asked why there was no documentation, Sinatra said he considered Scarne a "buddy"). In 1973, Sinatra sued Scarne, claiming that Scarne had withdrawn his half of the reserve funds (\$125,000) despite agreeing to leave them in place, which forced Sinatra to replace the money by both digging into his pocket (for \$65,000) and taking out a loan from the casino (for the other \$60,000). Although Scarne insisted he was under no obligation to maintain the reserve, a New Jersey state jury ordered him to pay Sinatra \$65,000. See Jean Joyce, *Jury Deals Scarne Losing Hand*, DAILY NEWS (N.Y.), Feb. 28, 1975, at 5.

¹²⁹ See Bernard K. Spinrad, *Aruba*, in *TOURISM IN THE CARIBBEAN* 93, 111 (Shirley B. Seward and Bernard K. Spinrad eds. 1982).

Population: 1,900
 Capital: The Bottom
 Principal Languages: Dutch and English
 Currency: United States Dollar

As previously explained, Saba is one of the three “BES Islands.”¹³⁰ Because of its small size and relative lack of tourism, there currently are no casinos in Saba.¹³¹ As a result, those on the island who want to play must take a two-hour ferry, or a 15-minute flight, to neighboring Sint Maarten.¹³²

5. Sint Eustatius

History: Dutch territory since 1636
 Location: Leeward Islands (1,242 miles south-east of Miami)
 Area: Eight square miles
 Population: 3,100
 Capital: Oranjestad
 Principal Languages: Dutch and English
 Currency: United States Dollar

As previously noted, Sint Eustatius (known locally as Statia) is one of the three “BES Islands.”¹³³ Because of its small size and relative lack of tourism, casinos do not presently exist in Sint Eustatius.¹³⁴ As a result, those on the island who want to play must take a two-hour ferry, or a 20-minute flight, to neighboring Sint Maarten.¹³⁵

6. Sint Maarten

History: Dutch territory since 1648
 Location: Leeward Islands (1,218 miles south-east of Miami)
 Area: 13 square miles
 Population: 43,000
 Capital: Philipsburg
 Principal Language: English
 Currency: Netherlands Antillean Guilder

Legal casino gambling has been taking place in Sint Maarten, the Dutch southern side of the island of Saint Martin, since 1961, when the Windward Beach Club casino opened.¹³⁶ The territory currently has 13 casinos located in three cities.¹³⁷ Although Philipsburg has the most casinos (seven), the largest casino on the island is the Princess Port de Plaisance Resort¹³⁸ at Cole Bay. It has 500 slot machines and 23 table games. The minimum age to gamble in Sint Maarten is 18.

D. United States¹³⁹

1. Puerto Rico

History: Spanish territory to 1898; U.S. territory since 1898
 Location: Greater Antilles (1,014 miles south-east of Miami)

¹³⁰See *supra* note 117 and accompanying text.

¹³¹See *Saba Casinos: There Are No Casinos on the Tiny Island of Saba*, CARIBYA!, <http://caribya.com/saba/casinos/>.

¹³²*Id.*

¹³³See *supra* note 117 and accompanying text.

¹³⁴Instead, Sint Eustatius boasts world famous black-sand beaches, the result of two extinct volcanoes (Little Mountain and The Quill). See *Why Not Go to St. Eustatius? Lose Track of Time on the Lovely Caribbean Island of St. Eustatius*, CARIBYA!, <http://caribya.com/st.eustatius/why.not.go/>.

¹³⁵See Robert Curley, *Caribbean Travel Guide for Statia (St. Eustatius)*, TRIP SAVVY (June 26, 2019), <https://www.tripsavvy.com/statia-st-eustatius-travel-guide-1488497>.

¹³⁶See Vincent Egan, *Tropic Island Casino Hotel Venture for Canadian Cash*, FIN. POST (Toronto), Oct. 25, 1958, at 23 (explaining that a group consisting of Canadian and European investors agreed to fund the resort's construction after receiving “a promise of an exclusive 25-year franchise to operate a gambling casino, granted by the federal government of the Netherlands Antilles.”). Since the dissolution of the Netherlands Antilles in 2010, see *supra* text accompanying note 117, casino gambling has operated in something of a legal limbo in Sint Maarten due to the lack of a clear regulatory framework. See Muller and Rico, *supra* note 7, at 67 (explaining that “Sint Maarten did ‘inherit’ the former Dutch Antilles’ State Ordinance for Hazard Games (PB 1993, no. 63). . . .”). Casino regulation is the responsibility of the Sint Maarten Ministry of Tourism, Economic Affairs, Transport and Telecommunication (TEATT) (<http://www.sintmaartengov.org/government/TEATT/Pages/default.aspx>). Its website includes the territory's current regulations. See GOV'T OF SINT MAARTEN, RULES OF THE

GAME: GOVERNMENT'S CASINO POLICY (Philipsburg, June 2011), available at <http://www.sintmaartengov.org/government/TEATT/Pages/Ministry-Policies-and-Reports.aspx> (under “Casino Policy”). In a different part of its website, TEATT explains:

The tasks of the Casino Controllers are to ensure that the stipulations of the Federal Ordinance regulating Gambling are enforced and to control the conditions listed in the licenses for managing a gambling establishment. This is an operational task of the department that plays a vital role in controlling all aspects of gambling establishments.

The process of evaluating the current “Casino Control” system along with other models is being researched. This will provide for a new strategic approach towards implementing the ordinance regulating gambling.

Casino Control and Security, <http://www.sintmaartengov.org/government/TEATT/Economic-Inspection-Department/Pages/Casino-Control-and-Security.aspx>. For court cases, see <https://uitspraken.rechtspraak.nl/> (under “Statement and News” using the search terms “Sint Maarten” and “casino”).

¹³⁷See *Sint Maarten Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/sint-maarten>.

¹³⁸PRINCESS PORT DE PLAISANCE RESORT, <https://saint-martin.com/princess-casino-port-de-plaisance/?lang=en>.

¹³⁹Because it is uninhabited, tiny (2.1 square miles) Navassa Island (606 miles southeast of Miami) is omitted from this article. The United States' claim to Navassa Island has been challenged by Haiti, which sits 35 miles to the east of Navassa Island. See Michaëlle Pierre, *Haiti's Claim Over Navassa Island: A Case Study* (unpublished MA thesis, World Maritime University, 2014), available at https://commons.wmu.se/cgi/viewcontent.cgi?article=1473&context=all_dissertations.

Area: 3,515 square miles
 Population: 2.9 million
 Capital: San Juan
 Principal Languages: English and Spanish
 Currency: United States Dollar

Casino gambling became legal in Puerto Rico in 1948, when the Games of Chance (*Juegos de Azar*) Act, also known as Ley Número (Law Number) 221, was adopted.¹⁴⁰ At the time, the island had numerous illegal casinos, and it was hoped the law would protect players from unscrupulous operators while providing the government with a new source of revenue.¹⁴¹

Ley 221 makes Puerto Rico the birthplace of legalized Caribbean casino gambling. Today, the island has 16 casinos (which must be in hotels) spread across 10 cities.¹⁴² Although Ponce (3) and San Juan (3) have the most casinos, the largest casino is the Caguas Real Hotel and Casino¹⁴³ in Caguas (20 miles south of San Juan). It has 570 slot machines and 10 table games. The minimum age to gamble in Puerto Rico is 18.

2. U.S. Virgin Islands (U.S.V.I.)

History: Danish territory to 1917; U.S. territory since 1917
 Location: Leeward Islands (1,104 miles southeast of Miami)
 Area: 134 square miles
 Population: 104,000
 Capital: Charlotte Amalie (on the island of Saint Thomas)
 Principal Language: English
 Currency: United States Dollar

In 1994, a non-binding referendum to legalize casino gambling was held on each of the territory's three main islands. While the voters on Saint John and Saint Thomas rejected the idea, those on Saint Croix approved it by a margin of 58%–42%.¹⁴⁴ Six months later, the U.S.V.I. legislature passed a new law that permits Saint Croix to have up to six casinos.¹⁴⁵ All casinos must be in “major” hotels.

Currently, Saint Croix's only casino is the Divi Carina Bay Resort and Casino¹⁴⁶ in Christiansted (the island's largest city).¹⁴⁷ Opened in 1999, it has 250 slot machines and 17 table games. However, two

¹⁴⁰ See Charles Fernandez, *Gambling Legalized in Puerto Rico: Island Makes Bid for Resort Trade*, PITT. PRESS, June 6, 1948, at 8. The law was upheld in *Posadas de P.R. Assocs. v. Tourism Co. of P.R.*, 478 U.S. 328 (1986), a case involving a First Amendment challenge to its prohibition on targeted casino advertising to residents. For other court cases involving Puerto Rican casinos, see *supra* note 8.

Ley 221 has been repeatedly amended, with the most significant changes taking place in 1997. See Fredric E. Gushin and Paul R. Cortés-Rexach, *Puerto Rico Faces the Future with Major Changes to Its Gaming Laws*, 2 GAMING L. REV. 27 (1998); William J. Callnin and George W. Carmona, *The Market Impact of Puerto Rico's Gaming Law on Gaming Revenues*, 2 GAMING L. REV. 33 (1998).

The current version (2018) of Law 221 can be found at <https://law.justia.com/codes/puerto-rico/2018/titulo-15/subtitulo-1/capitulo-5/> (under “Title 15—Sports and Parks”). It also is available at <https://www.ptourism.com/dnn/Portals/0/Casinos/Ley%20221%20Compilada.pdf?ver=2019-01-17-142056-813>.

Puerto Rican casinos are overseen by the Gaming Division of the Puerto Rico Tourism Company (<https://www.ptourism.com/dnn/Doing-Business/Casinos>). Its website includes the territory's gambling regulations. See <https://www.ptourism.com/dnn/Portals/0/Casinos/Reglamento%20de%20Juegos%20de%20Azar%208640%20correcto.pdf?ver=2019-01-17-144506-373>.

¹⁴¹ See *Puerto Rico Legalizes Gaming, Hopes to Compete with Reno*, OAKLAND TRIB., July 15, 1948, at 44 (explaining that the legislation called for casinos to be charged a monthly licensing fee of \$2,000, with some of the money earmarked for hiring inspectors). The decision to legalize the island's casinos followed a 1934 attempt to abolish them, which led to a popular uprising. See Robert Wahls, *Las Vegas by the Sea*, SUNDAY [DAILY] NEWS (N.Y.), Apr. 7, 1963, § 2, at 12.

¹⁴² See *Puerto Rico Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/puerto-rico>.

¹⁴³ CAGUAS REAL HOTEL AND CASINO, <https://www.marriott.com/hotels/travel/sjulp-four-points-caguas-real-hotel-and-casino/>.

¹⁴⁴ PATTULLO, *supra* note 28, at 96. According to most observers, the difference in the results was Hurricane Hugo (1989). While Saint John and Saint Thomas largely had recovered from the storm by 1994, Saint Croix's economy remained in shambles. See Malcolm Ritter, *Casino Proponents Find It's True: You Win Some, Lose Some*, MIAMI HERALD, Nov. 10, 1994, at 8A.

¹⁴⁵ See Virgin Islands Casino and Resort Control Act of 1995 (Chapter 21 of Title 32 of the Virgin Islands Code), available at <https://law.justia.com/codes/virgin-islands/2019/title-32/chapter-21/>. For a useful overview of the statute's checkered legislative history, see R. Oliver David, *Casino Gaming and Regulations in the United States Virgin Islands* (paper given at the 26th Annual Conference of the Caribbean Studies Association held in Sint Marteen, May 27–June 2, 2001), available at <https://ufdcimages.uffil.ufl.edu/CA/00/40/02/32/00001/PDF.pdf>. The territory's gambling regulations can be found at <https://www.casinocontrolcommission.vi/regulations/>.

Among other things, the Act establishes the U.S. Virgin Islands Casino Control Commission (VICCC) (<https://www.casinocontrolcommission.vi/>). The Division of Gaming Enforcement, part of the U.S. Virgin Islands Department of Justice, acts as the VICCC's investigation and enforcement arm. See https://usvidoj.codemeta.com/DivisionContent_4.php?divId=120. For a further description of these entities, see, e.g., *Government of Virgin Islands v. Virgin Islands Casino Control Comm'n*, 2018 WL 4742132 (V.I. Super. Ct. 2018); *Modeste v. Casino Control Comm'n*, 2015 WL 13579251 (V.I. Super. Ct. 2015).

In 2019, Violet A. Golden, having just completed her 10-year term as chair of the VICCC, was indicted (along with Stephanie Barnes, a VICCC contractor) after an audit of the agency's books turned up numerous irregularities. See *Violet Anne Golden, Former St. Croix Senator, Former Casino Control Chairwoman, Slapped with 28 Federal Criminal Charges*, V.I. FREE PRESS (July 18, 2019), <https://vifreepress.com/2019/07/virgin-islands-casino-commission-officials-indicted-for-allegedly-embezzling-government-funds/>. A copy of the indictment can be viewed at <https://www.justice.gov/usao-vi/press-release/file/1183386/download>. In 2020, Golden pleaded guilty to embezzling \$295,000. See Judi Shimel, *Golden Pleads Guilty in Casino Control Embezzlement Case*, ST. CROIX SOURCE (Jan. 9, 2020), <https://stcroixsource.com/2020/01/09/golden-pleads-guilty-in-casino-control-embezzlement-case/>.

¹⁴⁶ DIVI CARINA BAY RESORT AND CASINO, <http://www.carinabay.com/>.

¹⁴⁷ In *Virgin Islands v. Browne*, 54 V.I. 61, 70-71 (V.I. Super. Ct. 2010), *aff'd in part*, 56 V.I. 207 & 244 (V.I. Sup. Ct. 2012), the defendant was convicted of committing a double murder in part because of “video footage [from] the Divi Carina Bay Casino and [the] testimony of [the] casino's surveillance manager[.]” Many sources state that there is a casino at the Hotel Caravelle in downtown

large-scale hotel projects, each with a casino, have been proposed.¹⁴⁸ The minimum age to gamble in the U.S. Virgin Islands is 21.

IV. CONCLUSION

As the foregoing discussion indicates, 18 of the Caribbean's 30 jurisdictions permit casino gambling,¹⁴⁹ 15 currently have casino gambling,¹⁵⁰ and the total number of legal land-based casinos is 102.¹⁵¹ Clearly, how-

ever, there is a great deal of concentration, for the top five jurisdictions are home to 83 (81%) of the region's casinos: Dominican Republic (30), Puerto Rico (16), Aruba (13), Sint Maarten (13), and Curaçao (11).¹⁵²

Compared to 1985, when 13 Caribbean jurisdictions permitted casino gambling,¹⁵³ there has been a 38% increase during the past 35 years. In the future, it would not be surprising to see as many as four more jurisdictions added to the list.¹⁵⁴

(continued)

Christiansted. However, it only has slot machines. See <https://www.worldcasino.directory.com/casino/casino-at-hotel-caravelle>.

¹⁴⁸See *U.S. Virgin Islands Casinos*, WORLD CASINO DIRECTORY, <https://www.worldcasinodirectory.com/virgin-islands> (profiling the Seven Hills Golf Resort and Casino at Robin Bay and the Saint Croix Golf Resort and Casino at Great Pond).

¹⁴⁹These jurisdictions are Antigua and Barbuda, Aruba, The Bahamas, Bonaire, Curaçao, Dominican Republic, Grenada, Guadeloupe, Haiti, Jamaica, Martinique, Puerto Rico, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sint Maarten, Turks and Caicos Islands, and the U.S. Virgin Islands.

¹⁵⁰The three jurisdictions that permit, but currently do not have, casinos are Grenada, Jamaica, and Saint Vincent and the Grenadines.

¹⁵¹Recently, the Caribbean has begun to attract the interest of U.S. Indian tribes. In 2010, for example, the Seminoles of Florida opened the largest casino in the Dominican Republic, see Doreen Hemlock, *Hard Rock's Rolling: Seminoles Aggressively Expanding Famed Hotel-Casino Brand Overseas*, S. FLA. SUN-SENTINEL, Mar. 21, 2010, at 1D, while in 2017 the Poarch Creeks of Alabama purchased two existing casinos in Aruba and Curaçao. See *Poarch Band of Creek Indians Acquires Two Gaming Properties on Caribbean Islands*, INDIANZ.COM (Oct. 24, 2017), <https://www.indianz.com/IndianGaming/2017/10/24/poarch-band-of-creek-indians-acquires-tw.asp>. For a further discussion, see Dave Palermo, *Tribes Growing Casino Portfolios and Diversifying Economies*, GLOBAL GAMING BUS. MAG. (July 25, 2017), <https://ggbmagazine.com/article/above-beyond-2/> (quoting Dante Desiderio, the executive director of the Native American Finance Officers Association, as saying, "Tribes are looking beyond the domestic market. You might have heard about tribes thinking about expanding to the Caribbean. That's a trend worth paying attention to.").

¹⁵²In a 2002 study, researchers concluded that the large number of casinos in Puerto Rico likely was contributing to the island's "exceptionally high prevalence rates of lifetime and current probable pathological gambling." See Rachel A. Volberg and Pedro A. Vales, *Prevalence Estimates of Pathological Gambling in Puerto Rico* (in Spanish), 13 REVISTA PUERTORRIQUEÑA DE PSICOLOGÍA 71, 94 (2002) (English translation available at <https://pdfs.semanticscholar.org/d24b/c32f26f5e1c0773cb3c55de95a014250699d.pdf>).

Other than Volberg and Vales's study, there is very little published research on problem gambling in the Caribbean. See, e.g., *How Big Is the Problem?—[Jamaica's] Gaming Regulator Wants Gov't to Examine Compulsive Gambling*, JAMAICA STAR (Kingston) (Oct. 14, 2016), <http://jamaica-star.com/article/news/20161014/how-big-problem-gaming-regulator-wants-govt-examine-compulsive-gambling> (quoting Richard Henry, project coordinator for the Gambling Prevention Programme at RISE Life, as saying: "There has never been a study on adult gambling in Jamaica or

for that matter within the English-speaking Caribbean."'). See also Filipa Calado and Mark D. Griffiths, *Problem Gambling Worldwide: An Update and Systematic Review of Empirical Research (2000–2015)*, 5 J. BEHAV. ADDICTIONS 592 (2016) (finding no Caribbean studies).

The website of the Curaçao Gaming Control Board (GCB) includes a significant amount of information on problem gambling and cites two Dutch-language studies (one from 1995 and the other from 2003) that "indicate that gambling addiction amongst the Curaçao population has taken on serious proportions." See <https://www.gamingcontrolcuracao.org/responsible-gaming> (under "Responsible Gaming Studies for Curaçao"). The website also explains:

Since July 30, 2012, the [Board] and FMA [Fundashon pa Maneho di Adikshon (Foundation for the Management of Addiction)] have joined forces through a Cooperation Protocol, in the implementation of the Self-Exclusion Program (as referred to in the Responsible Gaming Guidelines for casinos), the combating and prevention of gambling addiction, the development of awareness programs for the general public and training programs for the GCB and casino personnel, treatment and counseling of self-excluded persons by FMA to avoid relapse, and the cultivation of interest from local universities to research (the origin and prevention of) gambling addiction.

Id.

As part of its failed 2015 bid to legalize casinos, see *supra* note 71, the government of Trinidad and Tobago prepared detailed "responsible gambling" regulations. See <http://www.ttparlament.org/documents/2489.pdf>.

¹⁵³See Don Bohning, *Battle for the Tourist Dollar Revives Casino Gaming Issue*, MIAMI HERALD, July 10, 1985, at 2A (citing Antigua and Barbuda, Aruba, The Bahamas, Bonaire, Curaçao, Dominican Republic, Guadeloupe, Haiti, Martinique, Puerto Rico, Sint Maarten, Saint Kitts and Nevis, and Saint Vincent and the Grenadines).

¹⁵⁴Cuba and Trinidad and Tobago are likely to authorize casino gambling at some point, while Barbados and the Cayman Islands are possibilities. Due to their location, politics, and size, change is unlikely in the region's eight other jurisdictions (Anguilla, British Virgin Islands, Dominica, Montserrat, Saba, Saint Barthélemy, Saint-Martin, and Sint Eustatius). For a further discussion, see, e.g., ANDREW SPENCER, TRAVEL AND TOURISM IN THE CARIBBEAN: CHALLENGES AND OPPORTUNITIES FOR SMALL ISLAND DEVELOPING STATES (2019). See also Therez B. Walker, *Casino Gambling in the Caribbean: Implications for Branding*, in PROCEEDINGS OF THE 78TH TOURISM SCIENCES SOCIETY OF KOREA (TOSOK) INTERNATIONAL TOURISM CONFERENCE, SEOUL, KOREA 553, 553 (July 2015) ("Casino gambling remains a major untapped potential for many Caribbean destinations, and there is value in developing this segment of the tourist market because product development and diversification can further enhance the attractiveness of the destination.").