

FOSTERING TRANSPARENCY AND PREVENTING CORRUPTION IN JAMAICA



Edited by Laura Neuman
The Carter Center



Foreword 5
President Jimmy Carter

Introduction. 7
Laura Neuman

Acknowledgments *Laura Neuman* **Acknowledgments**

Introduction 7
Laura Neuman

Acknowledgments *Laura Neuman* **Acknowledgments**

Foreword
By Jimmy Carter

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Corruption Challenges to Human Rights, Citizens' Security and Good Governance

The Honourable Lloyd Barnett

Introduction

Corruption is a global phenomenon that has become a major challenge to human rights, citizens' security and good governance. It is a complex and multifaceted issue that affects all societies, including Jamaica. Corruption undermines the rule of law, erodes public trust, and hampers economic development. It is a major obstacle to achieving sustainable development and social justice. This paper examines the challenges that corruption poses to human rights, citizens' security and good governance in Jamaica, and proposes strategies to address these challenges.

Scope of Corruption

Corruption in Jamaica is widespread and covers a wide range of areas, including public procurement, land and natural resources, health care, education, and the justice system. It is a major cause of poverty and inequality, and it undermines the social contract between the state and its citizens. Corruption is a major challenge to human rights, citizens' security and good governance in Jamaica. It is a complex and multifaceted issue that affects all societies, including Jamaica. Corruption undermines the rule of law, erodes public trust, and hampers economic development. It is a major obstacle to achieving sustainable development and social justice. This paper examines the challenges that corruption poses to human rights, citizens' security and good governance in Jamaica, and proposes strategies to address these challenges.

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The Honourable Lloyd Barnett is a Jamaican barrister and holds the highest honour, the Order of Jamaica.

Relevant Human Rights Principles

Derogation From Human Rights Principles

The present Human Rights Act (C.A. 63:01) of Jamaica, which was enacted in 1996, has been widely regarded as a landmark in the country's history. It is the first time that a comprehensive human rights law has been enacted in Jamaica, and it is a significant step towards the country's commitment to human rights.

Consequently, the Act has been widely praised for its comprehensive coverage of human rights, and it is a significant step towards the country's commitment to human rights.

1. The Act provides for the establishment of a Human Rights Commission, which will be responsible for monitoring and promoting human rights in Jamaica.
2. The Act also provides for the establishment of a Human Rights Tribunal, which will be responsible for hearing and determining human rights cases.
3. The Act provides for the establishment of a Human Rights Council, which will be responsible for monitoring and promoting human rights in Jamaica.
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Electoral Corruption and The Rise of Garrison Communities



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Seven Essential Conditions for Combating Corruption

The following are the seven essential conditions for combating corruption:

1. **Leadership:** The leadership of the government and the private sector must be committed to the fight against corruption.
2. **Legal Framework:** The legal framework must be robust, clear, and enforceable, covering all areas of public and private life.
3. **Accountability:** All public officials and private sector leaders must be held accountable for their actions.
4. **Transparency:** The government and the private sector must be transparent in their operations.
5. **Integrity:** Public officials and private sector leaders must be of high integrity.
6. **Participation:** The public must be actively involved in the fight against corruption.
7. **Trust:** There must be trust between the government and the private sector, and between the government and the public.

A Strategy For Jamaica

A strategy for Jamaica to combat corruption should focus on the following key areas:

- 1. **Strengthening the Legal Framework:** Review and update the legal framework to ensure it is robust, clear, and enforceable.
- 2. **Improving Accountability:** Establish a system of accountability for public officials and private sector leaders.
- 3. **Enhancing Transparency:** Implement measures to increase transparency in government and private sector operations.
- 4. **Promoting Integrity:** Establish a code of conduct for public officials and private sector leaders.
- 5. **Encouraging Public Participation:** Create mechanisms for the public to report corruption and participate in the fight against it.
- 6. **Building Trust:** Foster trust between the government and the private sector, and between the government and the public.

Asset Declarations

Asset declarations are a key tool for combating corruption. They require public officials and private sector leaders to declare their assets and liabilities. This helps to identify potential conflicts of interest and ensure that public officials and private sector leaders are acting in the best interests of the public.

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Ethics In Government and the Issue of Conflicts of Interest

Mark Davies

Purpose and Nature of Government Ethics Laws

The purpose of government ethics laws is to ensure that public officials act in the best interests of the public and avoid conflicts of interest. These laws are designed to prevent public officials from using their position for personal gain or to influence government decisions in a way that benefits themselves or their family members. Government ethics laws are a key component of a robust system of public sector ethics, and they play a critical role in maintaining the integrity of government and the trust of the public. The purpose of these laws is to ensure that public officials act in the best interests of the public and avoid conflicts of interest. These laws are designed to prevent public officials from using their position for personal gain or to influence government decisions in a way that benefits themselves or their family members. Government ethics laws are a key component of a robust system of public sector ethics, and they play a critical role in maintaining the integrity of government and the trust of the public.

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Introduction: Globalization and Government Ethics Laws

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Mark Davies is the Executive Director of the New York City Conflicts of Interest Board.

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Perhaps the most important duty of an ethics commission or ethics office is to teach government officials what the code of ethics requires - and what the penalties are for violating it.

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A tension inevitably exists between the need to protect government officials against unfounded accusations, particularly by political opponents or disgruntled employees, and the need to reassure the government, complainants, and the public that the ethics commission will address accusations of ethical impropriety quickly, aggressively, and fairly.

Conclusion

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The Right to Information and Jamaica's Access to Information Act

Alasdair Roberts

The Access to Information Act (ATIA) was enacted in 1997. It was the first of its kind in the Caribbean region. The Act was designed to provide a framework for the disclosure of information held by public bodies. The Act is based on the principle of the presumption of openness. It provides for the right of access to information held by public bodies. The Act also provides for the right of access to information held by private bodies. The Act is a landmark piece of legislation in Jamaica. It is a significant step towards transparency and accountability in government. The Act is a key component of the country's commitment to the rule of law and good governance. The Act is a model for other countries in the region. It is a testament to the leadership of the government in promoting transparency and accountability. The Act is a key component of the country's commitment to the rule of law and good governance. The Act is a model for other countries in the region. It is a testament to the leadership of the government in promoting transparency and accountability.

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Professor Alasdair Roberts is the Director of the Campbell Public Affairs Institute at The Maxwell, Syracuse University. Website: <http://www.campbellinstitute.org>

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Enforcement Mechanisms

The proposed Access to Information Act will provide a framework for the enforcement of the Act.

Chapter 1 of the proposed Act will provide for the establishment of the Information Commission.

The effectiveness of the proposed Access to Information Act will hinge largely on its enforcement mechanisms.

Article 1 of the proposed Act provides for the following:

1. The Information Commission shall be established as an independent body to monitor and enforce the provisions of the Act.
2. The Information Commission shall have the following powers:
 - (a) to receive and investigate complaints from the public regarding the processing of information under the Act;
 - (b) to conduct inquiries into the processing of information under the Act;
 - (c) to recommend to the public body concerned the steps to be taken to ensure compliance with the Act;
 - (d) to refer matters to the appropriate authority for disciplinary action.
3. The Information Commission shall have the following powers:
 - (a) to require the production of information;
 - (b) to require the disclosure of information;
 - (c) to require the correction of information;
 - (d) to require the destruction of information.

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Chapter 1 of the proposed Act will provide for the establishment of the Information Commission.



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Exclusion of older documents. A

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Making Use of the Law

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3 5(3)(), A A 2001
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33(6), A A 2001 ().
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5(1)(), A A 2001 ().
5(2), A A 2001 ().
h P (1998). P . 43/98:
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h P 23, 1998. P . 17;

Access to Information: How Is It Useful and How Is It Used?

Richard Calland

The right to know is a fundamental principle of democracy. It is the right of every citizen to know what their government is doing. This right is essential for the functioning of a democratic society. It allows citizens to hold their government accountable and to participate in the decision-making process. Without the right to know, citizens are unable to make informed choices and their participation is meaningless. The right to know is also essential for the protection of human rights and for the promotion of transparency and accountability in government. It is a right that is essential for the functioning of a democratic society.

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Introduction

Meaningful participation in democratic processes requires informed participants. Secrecy reduces the information available to the citizenry, hobbling their ability to participate meaningfully.

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Richard Calland is the Executive Chair of the Open Democracy Advice Center, Cape Town, South Africa.

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The Global Trend Towards Greater Transparency

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Information, Democracy and Accountability

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A System for Accessing Information

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There is no point in having a law that provides for the right to access to information, if there is not at the same time a clear and workable system of mechanisms to enable citizens to use the law.

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New Access to Information Act is Attracting Much Use: Bulgaria

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3. A... h... h... '2000
4. A... h... h... C... C... h...
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Lessons for Citizens and Citizens' Organizations

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A Culture of Openness and Duty to be Proactive

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A Culture of Openness

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The Duty To Be Proactive - Adopting a Right to Know Approach

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Conclusion

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Jamaica Chamber Commerce
Ms. Marcia Bryan
Executive Director
7 East Parade
Kingston, Jamaica
T: (876) 922-0150
F: (876) 924-9056
Email: jamcham@cwjamaica.com

Jamaica Civil Service Association
Mr. Wayne James, President
10 Caledonia Avenue
Kingston, Jamaica
T: (876) 968-7087
F: (876) 926-2042

Dispute Resolution Foundation
Ms. Donna Parchment, Executive Director
5 Camp Road
P.O. Box 543
Kingston 5, Jamaica
T: (876) 906-2456
F: (876) 754-9769
Email: drf@mail.infochan.com

Farquharson Institute of Public Affairs
Mr. Frank Phipps, Chairman
5 Lyncourt
Kingston 6, Jamaica
T: (876) 978-6587
Email:

National Consumers' League
Miss Joyce P. Campbell, President
29 Beechwood Avenue
P.O. Box 275
Kingston 5, Jamaica
T: (876) 926-6388
F: (876) 926-5545

Operation Save Jamaica
Mr. Bruce Fletcher, President
Kingston 5, Jamaica
T: (876) 960-6942
F: (876) 968-7662
email: bruceaf@hotmail.com

Stella Maris Foundation
Stella Maris Church Community
Monsignor Richard Albert
62 Shortwood Road
P.O. Box 1285
Kingston 8, Jamaica

St. Patrick's Foundation
Monsignor Richard Albert, Founder and Chairman
193 Bay Farm Road
Kingston 11, Jamaica
T: (876) 925-9520
F: (876) 905-1575

Transformation Jamaica
Mrs. Donna Duncan-Scott, Managing Director
Care Of Jamaican Money Market Brokers Ltd.
6 Haughton Terrace
Kingston 8, Jamaica
T: (876) 960-3181
Email: donna_duncan@Jmmb.com

Transparency International
Ms. Beth Aub, Director
Box 74
Mona Post Office
Kingston 6, Jamaica
T: (876) 944-3219
Email: maub@annigel.com.jam

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Trevor Munroe P ...
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Alasdair Roberts

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