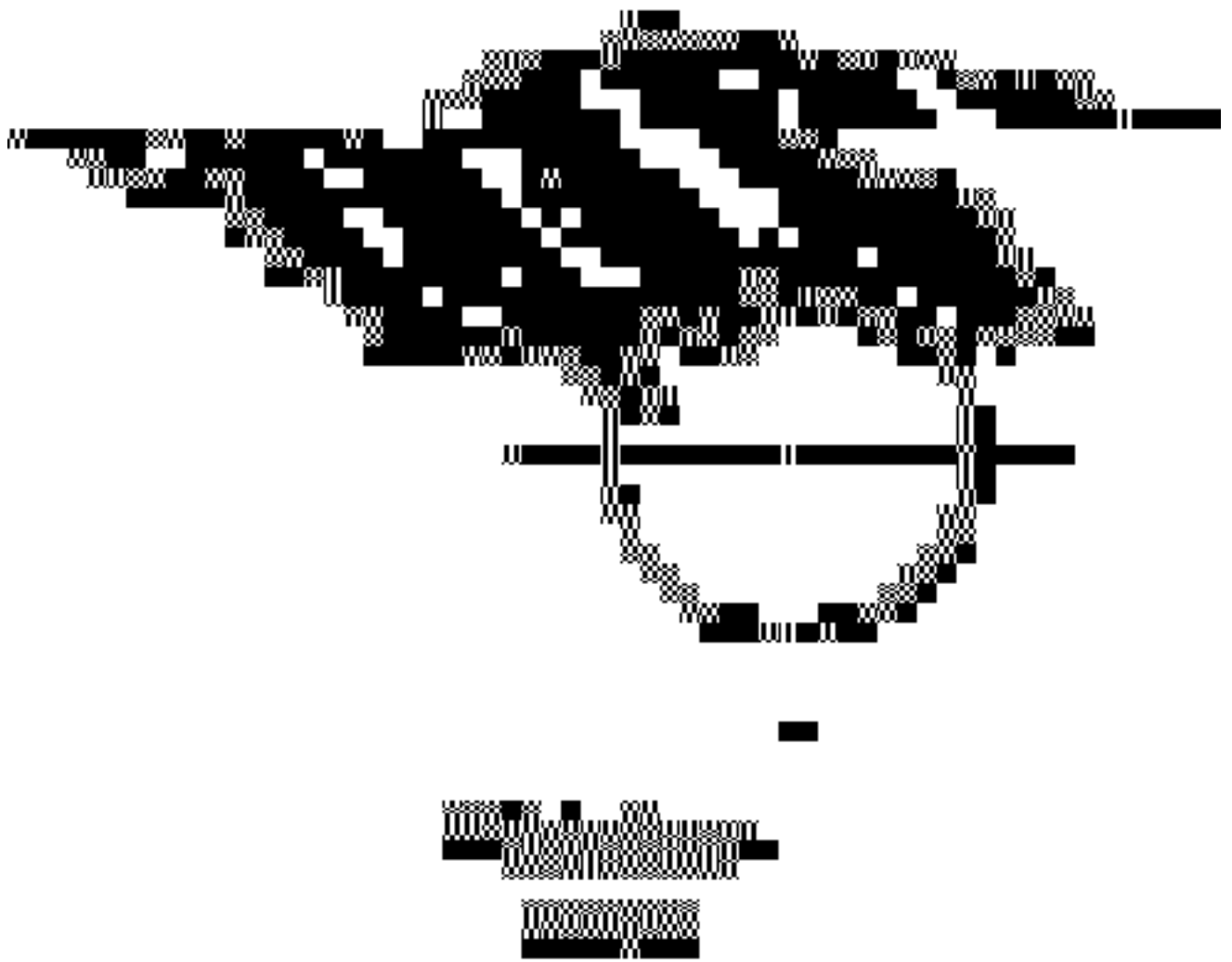


FOSTERING TRANSPARENCY AND PREVENTING CORRUPTION IN JAMAICA



Edited by Laura Neuman
The Carter Center



Foreword 5
President Jimmy Carter

Introduction. 7
Laura Neuman

Acknowledgments *Laura Neuman* **Acknowledgments**

Introduction 5
Richard Calland

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 problem that affects all countries, including Jamaica. It is a major obstacle to the achievement of the Sustainable Development Goals (SDGs) and the United Nations 2030 Agenda for Sustainable Development. Corruption undermines the rule of law, the integrity of public institutions, and the trust of citizens in their government. It also hinders economic growth, social justice, and the well-being of the most vulnerable in society.

Scope of Corruption

Corruption in Jamaica is widespread and covers a wide range of sectors, including public procurement, land and natural resources, health, education, and the justice system. It is often facilitated by weak governance, lack of transparency, and limited accountability. The most common forms of corruption include bribery, nepotism, and the misuse of public funds. Corruption also contributes to the erosion of public trust and the undermining of the rule of law.

Corruption is a global problem that affects all countries, including Jamaica. It is a major obstacle to the achievement of the Sustainable Development Goals (SDGs) and the United Nations 2030 Agenda for Sustainable Development. Corruption undermines the rule of law, the integrity of public institutions, and the trust of citizens in their government. It also hinders economic growth, social justice, and the well-being of the most vulnerable in society.

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.

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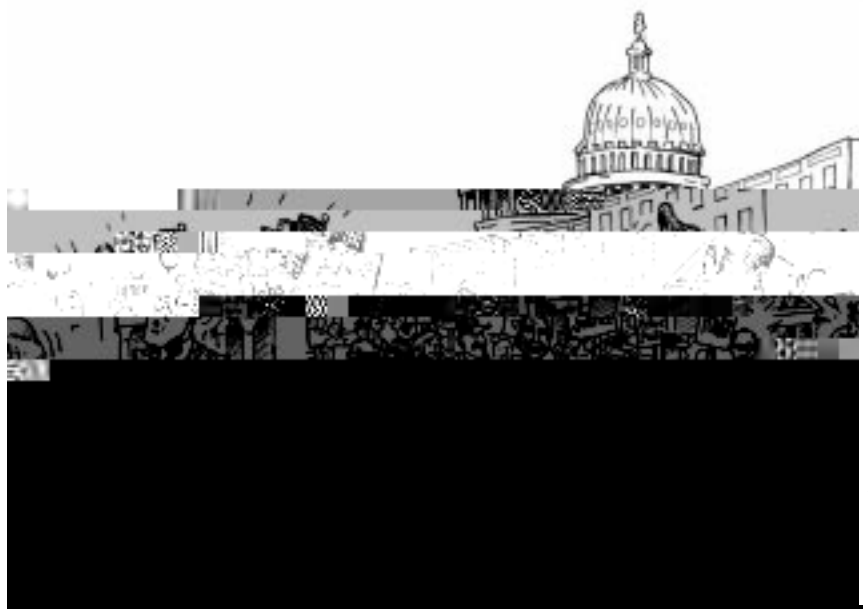
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Electoral Corruption and The Rise of Garrison Communities



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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 and enforceable, covering all areas of public and private life.
3. **Accountability:** All public officials and private sector entities 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 entities 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 must be based on the seven essential conditions for combating corruption. The strategy should focus on the following areas:

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

Asset Declarations

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

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Public Education

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are the children of the future.
We must give them the best
education we can give them.
The public schools are the
heart of our community.

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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 not in their own self-interest. These laws are designed to prevent conflicts of interest, which occur when a public official's private interests conflict with their public duties. Government ethics laws typically require public officials to disclose their financial interests and to refrain from participating in government decisions that would benefit them or their family members. These laws are essential for maintaining the integrity of government and ensuring that public officials are held to a high standard of conduct.

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Introduction: Globalization and Government Ethics Laws

The purpose of government ethics laws is to ensure that public officials act in the best interests of the public and not in their own self-interest. These laws are designed to prevent conflicts of interest, which occur when a public official's private interests conflict with their public duties. Government ethics laws typically require public officials to disclose their financial interests and to refrain from participating in government decisions that would benefit them or their family members. These laws are essential for maintaining the integrity of government and ensuring that public officials are held to a high standard of conduct.

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

This chapter was originally published in the book *Ethics In Government and the Issue of Conflicts of Interest*, edited by Yassin El-Ayouty, Kevin J. Ford and Mark Davies. This chapter was reprinted with permission from Greenwood Publishing Corp. The views expressed in this chapter are those of the author and do not necessarily reflect the views of the New York City Conflicts of Interest Board.

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Annual Disclosure

The following information is provided for the year ended 31 December 2019, which is the same as the financial year ended 31 December 2019. The information is provided in accordance with the requirements of the Companies Act 2006, which requires companies to provide information about their financial performance and position. The information is provided in accordance with the requirements of the Companies Act 2006, which requires companies to provide information about their financial performance and position. The information is provided in accordance with the requirements of the Companies Act 2006, which requires companies to provide information about their financial performance and position.

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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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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 failure of public bodies to comply with the provisions of the Act;
 - (b) to conduct inquiries into such complaints and to report to the public on the results of such inquiries;
 - (c) to recommend to the public bodies concerned such measures as may be necessary to ensure compliance with the provisions of the Act;
 - (d) to refer to the courts any matter which appears to the Commission to be a breach of the provisions of the Act.
3. The Information Commission shall have the following powers:
 - (a) to require any public body to produce any document or information which is in its possession, custody or control and which is requested under the provisions of the Act;
 - (b) to require any public body to provide any information which is requested under the provisions of the Act;
 - (c) to require any public body to take such steps as may be necessary to ensure compliance with the provisions of the Act;
 - (d) to refer to the courts any matter which appears to the Commission to be a breach of the provisions of the Act.

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

Article 1 of the proposed Act provides for the following:

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

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

Article 1 of the proposed Act provides for the following:



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Exclusion of older documents. A

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Making Use of the Law

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The Global Trend Towards Greater Transparency

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Information, Democracy and Accountability

the result of a messiah complex which imbues political leaders with a feeling that only they know what is best for the people and that citizens cannot be trusted to make important decisions on issues that affect their lives or how they want to be governed.

Adapted from *The New York Times*, 2000.

The Case of South Africa

The case of South Africa is a classic example of a messiah complex. The country's political leaders, particularly Nelson Mandela, were widely regarded as saviors of the nation. This perception led to a sense of entitlement and a belief that they knew what was best for the people, even when it came to decisions that affected their lives or how they wanted to be governed.

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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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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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Trevor Munroe P ...
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Alasdair Roberts

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