

International Right to Know Day - Jamaica: September 28, 2004

Speech presented by Laura Neuman, senior program associate, Americas Program, The Carter Center.

Good morning, and congratulations on International Right to Know Day. This is the

Helps them order and organize their documents and information
Helps increase their personal efficiency
Allows them to more fully show their work and achievements
Reduces bureaucracy and minimizes discretionarily
Diminishes political pressure
Identifies bottlenecks
Know what information exists and can use this information to make better decisions
Better coordination among Ministries and agencies, as know what information you have and what they have
Utilize information generated by others so that don't duplicate efforts
Helps improve their institutional image to civil society

Even with this impressive list, there were some in the group that did not feel as though the effort was worth the potential benefits. We took a very informal vote (as you know The Carter Center loves to observe elections) and 86% of the participants felt that this list

The Open Society Institute recently commissioned a study in five countries to evaluate the performance and responsiveness of the state to information requests. The countries that took place in this study were Armenia, Bulgaria, Macedonia, Peru and South Africa. Of these countries, "Macedonia had just started the process of drafting FOI legislation; Armenia was in the process of adopting an FOI law and Peru was in the early stages of implementing legislation adopted in 2002. Both South Africa and Bulgaria had had laws in place since 2000 . . ."[1]

In each country an appointed civil society organization monitored 100 requests for information made to 18 different government agencies by 10 different persons. In each case, the persons requesting information were members of NGO's, journalists, and members of disadvantaged or excluded groups. Requests were of a similar nature in each country, and in none of these cases did the request seek information that would be expected to fall under one of

denied in writing or orally. This is a long way from the days of complete secrecy or total discretionality. And the study was based on countries where the oldest law had only been in effect for 3 years, and the recent past saw such reigning regimes as apartheid and communism.

In considering jurisdictions that have effectively implemented a new access to information culture, and those that have failed, I believe that there are a number of necessary components. First, there needs to be sufficient and sustained political will, and a concerted effort directed at changing the mindset of both the civil servants and the public. Second, the law itself and regulations must be drafted with implementation in mind. Finally, effective implementation is a joint partnership between the holders of information (government or the private sector) and the requesters (citizens, civil society organizations, media etc.). Recognizing that there is dual responsibility helps us understand the nature of the challenge and contributes to the design of viable solutions.

So, where does Jamaica stand? I would argue that there has been a demonstration that in Jamaica there exists all of the necessary ingredients. The government has exhibited political will in passing an access to information law through a participatory lawmaking process, and in working through the phases of implementation. There is renewed focus on record making and record-keeping. And civil society has begun to embrace this law through a greater awareness of its right to information, through submitting requests for public information, and via monitoring activities such as the Jamaicans for Justice initiative. But there is a need to remain vigilant, to monitor the processes and ensure there is no addition of unnecessary and unwarranted obstacles or steps; that the government continues on its course of implementation through all the phases until all Ministries and agencies are in effect; that even more citizens are informed of their new rights; and that adequate resources are made available.

Some countries have failed, such as Belize, or are struggling like Trinidad and Tobago, but you are well on your way to reaching the benefits of a fully implemented access to information regime. Once again, congratulations.
