

# DIALOGUES BETWEEN DEMOCRACIES

THE FUTURE OF US-JAMAICA BILATERAL RELATIONS

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# CONTENTS

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<b>EXECUTIVE SUMMARY</b> .....	<b>3</b>
<b>INTRODUCTION</b> .....	<b>5</b>
<b>I. ENHANCING SECURITY</b> .....	<b>8</b>
<b>OVERVIEW OF THE INTERESTS</b> .....	<b>9</b>
<b>OVERVIEW OF THE RESPONSES</b> .....	<b>10</b>
<b>LIMITATIONS TO FURTHER BILATERAL COOPERATION</b> .....	<b>11</b>
<b>II. EMBOLDENING DEMOCRATIC GOVERNANCE</b> .....	<b>12</b>
<b>OVERVIEW OF THE INTERESTS</b> .....	<b>14</b>
<b>OVERVIEW OF THE RESPONSES</b> .....	<b>14</b>
<b>LIMITATIONS TO FURTHER BILATERAL COOPERATION</b> .....	<b>15</b>
<b>III. INCREASING TRADE AND INVESTMENT</b> .....	<b>16</b>
<b>OVERVIEW OF THE INTERESTS</b> .....	<b>16</b>
<b>OVERVIEW OF THE RESPONSES</b> .....	<b>18</b>
<b>LIMITATIONS TO FURTHER BILATERAL COOPERATION</b> .....	<b>21</b>
<b>IV. ENABLING HEALTH AND PROSPERITY</b> .....	<b>22</b>
<b>OVERVIEW OF THE INTERESTS</b> .....	<b>23</b>
<b>OVERVIEW OF THE RESPONSES</b> .....	<b>23</b>
<b>LIMITATIONS TO FURTHER BILATERAL COOPERATION</b> .....	<b>24</b>
<b>V. ENDORSING FULL AND EQUAL CITIZENSHIP</b> .....	<b>26</b>
<b>OVERVIEW OF THE INTERESTS</b> .....	<b>26</b>
<b>OVERVIEW OF THE RESPONSES</b> .....	<b>27</b>
<b>LIMITATIONS TO FURTHER BILATERAL COOPERATION</b> .....	<b>28</b>
<b>VI. STRENGTHENING THE PARTNERSHIP</b> .....	<b>29</b>
<b>CONCLUSION</b> .....	<b>32</b>
<b>BIBLIOGRAPHY</b> .....	<b>33</b>



## EXECUTIVE SUMMARY

Since 1962, Jamaica and the U.S. have enjoyed a mutually beneficial partnership. The overarching focus of both countries has been to uphold strong democratic institutions and promote economic development. Thus, the U.S. and Jamaica have cooperated on a number of issue-areas including: 1) enhancing security, 2) emboldening democratic governance, 3) increasing trade and investment, 4) enabling health and prosperity and 5) endorsing full and equal citizenship. Some progress has been made in achieving these goals, however, in order to foster a deeper bilateral relationship, there are several areas in which improvement can be made. It is important to note that although bilateral cooperation is important in order to achieve these goals, several domestic policy adjustments have to be made on the part of the Government of Jamaica (GoJ) in order to further these objectives.

First, the primary concern for both countries is enhancing citizen security. This requires greater focus on transnational crimes – narcotics trafficking and lottery scamming, which have caused deleterious effects on the economy and society in both countries. These transnational crimes have been responsible for gang-related violence, drug abuse and the victimization of vulnerable individuals. The U.S. and the GoJ have taken a number of measures in order to reduce the prevalence of these

crimes such as entering into the Caribbean Basin Security Initiative (CBSI), an anti-narcotics trafficking agreement in which the U.S. has committed several hundred million dollars in funding in order to provide equipment, training, and other assistance to Jamaica in order to deter these activities. While progress has been made, more can be done such as: 1) revising the salary structure for members of the Jamaica Constabulary Force (JCF), 2) taking measures to reduce the demand for narcotics, 3) increase education exchange programs, 4) and provide meaningful employment opportunities.

Second, in close relation to enhancing security, another issue on the forefront of the agenda for both countries is to embolden democratic governance in Jamaica. Jamaica has been an exemplary model for democracy both within the Caribbean region and also from a global standpoint. However, the country still has work to do in terms of mitigating corruption. Actual and perceived levels of corruption limit Jamaica's potential for economic development; it reduces public trust and reduces investor confidence. Furthermore, the nexus between crime and corruption is so interconnected that it is almost impossible to reduce one ill without the other; therefore a multi-faceted approach is needed to combat both issues. Some of the ways in which this can be achieved include: 1) improving development

assistance accountability, 2) increasing inter-state information sharing, and 3) recognizing that international corruption perceptions matter and take the necessary steps to rectify negative perceptions.

Third, the U.S. and Jamaica have consistently worked towards increasing the level of trade and investment between the countries. The U.S. is Jamaica's most significant trading partner. The U.S. has facilitated this by enacting unilateral trade initiatives such as the Caribbean Basin Economic Recovery Act (CBERA) and the Caribbean Basin Trade Partnership Act (CBTPA). Furthermore, the U.S. has also assisted Jamaica in revamping its local business environment through programs such as the USAID's Promote, Renew, Invigorate, Develop, Energize (PRIDE), where the agency provided technical assistance on how to reform and enhance Jamaica's bureaucratic organizations in order to facilitate business development.

Both countries have also worked together in order to improve Jamaica's energy sector, which has been one of the major impediments to Jamaica's development. The USAID's implementation of the Caribbean Clean Energy Program (CARCEP), a 6-year development assistance project that will create an enabling environment in which Jamaica can develop clean energy solutions, is just one example of the bilateral commitment in overcoming key challenges that will facilitate even higher levels of trade and investment between both countries. Improvements can be made, however, by: 1) providing and ensuring easier access to information and opportunities to local exporters and manufacturers, 2) taking advantage of Jamaica's large service sector by continued support and promotion of the country as a central hub for business process outsourcing, and 3) putting in place a regulatory framework and energy tariff structure that does not discriminate against renewable energy sources.

Fourth, public health, recognizing its direct role personal prosperity, has been of importance to both countries. The U.S. has collaborated and assisted Jamaica in several health initiatives. One of the most important programmes is the Presidential Emergency Plan for Aids Relief (PEPFAR) in which the U.S. has allocated the highest amount of assistance to Jamaica out of the 11 English-speaking Caribbean countries that are on the programme. Furthermore, the U.S. and Jamaica have also cooperated on issues of health through private partnerships such as the Rotary Club and Lyons Club. One of the major concerns for Jamaica's health sector is the shortage of equipment and supplies in the public hospitals. Suggestions have been made in order to improve the health sector such

as 1) revitalizing primary care, 2) encouraging citizens to take charge of their health by moving more and eating healthier, 3) reinstating user fees in the health sector more as a demand management measure than a source of financing, and 4) promoting the establishment of programs that conserve the environment, which will contribute to the healthier welfare of both present and future generations.

Fifth, the endorsement of full and equal citizenship for all Jamaicans is the final issue-area in which the U.S. and Jamaica have mutual interests although in certain aspects their responses diverge. Overall, Jamaica has taken strides in granting equal access opportunities to all individuals regardless of gender, class, or disability. However, the country continues to struggle in the acceptance and provision of equal rights to members of the Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) community. Most obvious is the GoJ's refusal to repeal the anti-sodomy laws, which criminalizes homosexual acts. LGBTI rights groups such as Jamaica Forum for Lesbians, All-Sexuals and Gays (JFLAG) have argued that this constitutional law has empowered corporations, public agencies and law enforcement personnel to refuse access and opportunities to LGBTI individuals. Nevertheless, some bilateral cooperation has been made on this issue. For example, the USAID's provision of 4-year funding for the University of Technology's "Fi Wi Jamaica" project, which was started in response to the highly publicized beating of two alleged homosexuals in a bathroom on UTECH's campus. Suggested improvements in this area include: 1) conscious and deliberate consideration on the repeal of Jamaica's anti-sodomy laws, 2) expand the provision of education and counseling programs to LGBTI individuals and their families, and 3) promote meaningful dialogue and exchanges between Pro-LGBTI and Pro-Religious groups.

In summary, the relationship between the U.S. and Jamaica can be deepened by continually renewing the focus on improving key factors that contribute to democracy and economic development. Specifically, mitigating domestic and transnational crime, buttressing democratic institutions by shifting away from patron-client methods of doing business, continue to improve trade and investment relations by reducing the perception of corruption, transforming the energy sector from fossil fuel dependency to renewable sources of energy, focusing on primary care renewal, shifting the burden of healthcare from solely the government's responsibility to individual citizen responsibility, and endorsing completely the rights of every Jamaican citizen regardless of heterogeneous differences.



# INTRODUCTION

The U.S. has indisputably been Jamaica's most significant bilateral partner. The countries share a long history based on mutual cooperation, cultural exchange, trade and development assistance. Similar to most small states, Jamaica struggled with identity formation and economic development after gaining independence from Britain in 1962. The country underwent a brief period of democratic socialism for the most part of the 1970s in which the Manley administration attempted to create a more economically independent state. Because of Jamaica's small market size and fledgling institutions, many local policymakers at that time believed that Jamaica was not in a position to compete on the global marketplace. However, this autarkic approach to economic development was not sustainable. The economy grew rapidly under industrialization in the early 1970s but declined dramatically from the mid 1970s to the early 1980s.<sup>1</sup> It was not until Manley regained power in 1989 that it became evident that an inward-looking approach to economic growth was not viable. Therefore, the Government of Jamaica (GoJ) started to pursue economic liberalism policies from the late 1980s. Arguably, deliberate economic reforms did not take place until the mid-1990s.<sup>2</sup> It was during this period that the U.S.-Jamaica relationship started to flourish as the Jamaican government started to implement policies that seemed to converge with mainstream liberal and democratic policies. Since then, the U.S. has been central in assisting Jamaica to carve out its position on the global stage and also in providing the necessary foreign

assistance that Jamaica needed in order to become a viable actor in the international political economy.

International trade, development, politics and culture have increasingly become intertwined over the past several decades because of globalizing forces. While some scholars might argue that globalization has always been present to some degree throughout history, because of technological innovation, the intensity and enmeshment of forces of production, trade, monetary relations, financial markets, and migration have dramatically increased since the end of the Cold War. Because of this, countries are now more interconnected than they have ever been before. This has made it increasingly difficult for states to separate their domestic and foreign policies.

The intersection between Jamaica's domestic and foreign policies is an example of this difficulty. Jamaica has an added burden of being a small state. Thorburn and Morris note that Jamaica and other small, developing states focus on economic development as the primary aim of their foreign policy either directly or indirectly.<sup>3</sup> Since independence, the primary emphasis of Jamaica's domestic policy has been economic development.

The U.S. on the other hand, while affected to some extent by these globalizing forces, has not witnessed the extensive intertwining of their domestic and foreign policies as Jamaica

1 Damien King, "The Evolution of Structural Adjustment and Stabilization Policy in Jamaica," *Social and Economic Studies* 50, no. 1 (2001).

2 Ibid.

3 Diana Thorburn and Dana Marie Morris, *Jamaica's Foreign Policy: Making the Economic Development Link* (Kingston, Jamaica: Caribbean Policy Research Institute, June 2007).

has witnessed. While domestic policy does play a role in shaping the U.S. foreign policy, because of the scope of US economic and political interests (especially after the 9/11 terrorist attacks), its foreign policy is more complex and also involves many other actors than Jamaica's foreign policy. Nevertheless, a key component of U.S. foreign policy in the developing world has been to encourage, build, and foster institutions that promote democracy and sustainable economic development. This can be seen in the creation of critical agencies such as the U.S. Agency for International Development (USAID).

Consequently, Jamaica's domestic/foreign policy and the U.S. foreign policy overlap primarily on the issue of promoting democracy and economic development. However, because economic development is such a complex issue, both countries have strived to cooperate on a number of sub-goals that collectively contribute to the overarching objective of long-term sustainable democratic and economic development. These sub-goals can be identified as:

- **To enhance security and law enforcement.**
- **To strengthen institutions and democratic governance.**
- **To increase trade and investment.**
- **To enable prosperity and health for all citizens.**
- **To endorse full and equal citizenship to all.**

Although these goals appear to be seemingly disparate elements, the pursuance and achievement of these five goals are critical not only to Jamaica's economic development but also to the continued strengthening of U.S. – Jamaica bilateral relations. Jamaica has been a long-standing partner and friend to the U.S. It has facilitated and cooperated on many vital U.S. strategic objectives. Therefore, in order to deepen bilateral relations and ensure a continued mutually beneficial partnership in the future, it is crucial that both countries maintain transparent dialogue among all stakeholders. Furthermore, since Jamaica's foreign policy is so intertwined with its domestic policy, the Government of Jamaica (GoJ) needs to make the necessary changes to improve its economy, institutions and society in order to fully maximize the benefits of its relationship with the U.S.

The report is organized into five sections in accordance with these sub-goals of development. Each section discusses the interests and responses of each actor in relation to the objective, and also assesses whether or not there are any limitations to future bilateral cooperation on the particular issue. The aim of each section is to analyze the extent to which the U.S. and Jamaica cooperated and/or coordinated on each sub-goal.

Section I focuses on enhancing security. It discusses the shared challenges of drug trafficking and lottery scamming, major contributors to the demoralization of the Jamaican society and impediments to both local and foreign investment. Both transnational crimes have had deleterious effects on Jamaica and the U.S. It recognizes that a substantial portion of the responsibility is placed on Jamaica, that is, strengthening its legal and judicial systems and empowering its law enforcement

networks. The U.S. has facilitated this by providing critical foreign assistance in terms of financial aid, vehicles, law enforcement training and other forms of technical assistance. The major limitations to bilateral cooperation on this issue is Jamaica's lack of human and capital resources. Unless Jamaica fixes these local challenges, the success of bilateral cooperation in enhancing security will be stymied.

Section II focuses on emboldening democratic governance. Bearing close resemblance to the enhancing security section, this section discusses the challenges that Jamaica and the U.S. have faced in combatting corruption. Jamaica's high-perceived level of corruption is a deterrent to many U.S. investors, thereby impeding economic progress. U.S. agencies such as the USAID have joined forces with local civil society organizations such as National Integrity Action in order to train organizations and other bureaucracies in anti-corruption initiatives. The success of these joint initiatives however is contingent on the transformation of Jamaica's embedded cultural patron-client relationships.

Section III assesses ways in which the U.S. and Jamaica can increase their existing trade and investment relationship. Both countries have enjoyed a consistently high level of trade with each other. In particular, the U.S. is Jamaica's largest export and import partner. The mutual interest of both countries is to continue to foster this relationship and expand trade levels. Jamaica however has three inextricably linked domestic interests, which undergird its trade policies. The overarching interest is to grow the economy; the other interests are subsumed under this major objective, however are equally important and interrelated. These are: 2) to wholly integrate Micro, Small and Medium Sized Enterprises (MSMEs) into the economy and 3) to improve sustainability. The U.S. has assisted Jamaica in pursuing these interests by implementing initiatives and programs such as the Caribbean Basin Initiative, the USAID's Promote, Renew, Invigorate, Develop and Energize (PRIDE) program, and the USAID's Caribbean Clean Energy Program (CARCEP). However, in order to actualize U.S. investment in these areas, it is important that Jamaica balances its domestic interests with the overall aim of macroeconomic growth. Furthermore, it is critical to ensure that existing trade arrangements with the U.S. do not conflict with trade agreements with any other country or region.

Section IV focuses on enabling health and prosperity. It primarily assesses the state of Jamaica's health sector. In line with one of several public forums held, there is a consensus that there needs to be a renewal in Jamaica's health care sector from a multi-sectoral perspective. The U.S. has collaborated with Jamaica considerably in this area by providing HIV/AIDS assistance through the Presidential Emergency Plan for Aids Relief (PEPFAR), through private partnerships in the form of charitable organizations such as the Rotary Club and also by providing Jamaican students educational opportunities in the form of scholarships and other skills and training programs. The U.S. dedicated a portion of its budget in assisting Jamaica's health sector; this assistance is subsumed under Pres. Obama's overarching Global Development Agenda. The



major limitations to cooperation in this area are contingent upon Jamaica's ability to transform its public health sector. Specifically, certain issues such as primary care renewal, addressing non-communicable diseases and providing the population with realistic expectations of the health services need to be addressed with urgency.

Section V focuses on the concept of endorsing full and equal citizenship. This is indisputably the area in which Jamaica and the U.S. have had the least bilateral cooperation. This is because on one issue, namely the rights of the Lesbian, Gay, Bisexual, Transsexual and Intersex (LGBTI) community, U.S. and Jamaica interests seem to diverge. While the U.S. has demonstrated its commitment in protecting the rights of LGBTI individuals as part of its foreign policy agenda, the Jamaican government has not seen addressing the rights and protection of this vulnerable group as a priority of its domestic policy. Despite the lack of congruent interests, the U.S. has assisted Jamaica in a number of ways such as providing diversity training to police officers under the USAID's COMET II program and also by sending issue-relevant envoys to Jamaica in order to build multi-stakeholder relationships. The major limitation to further

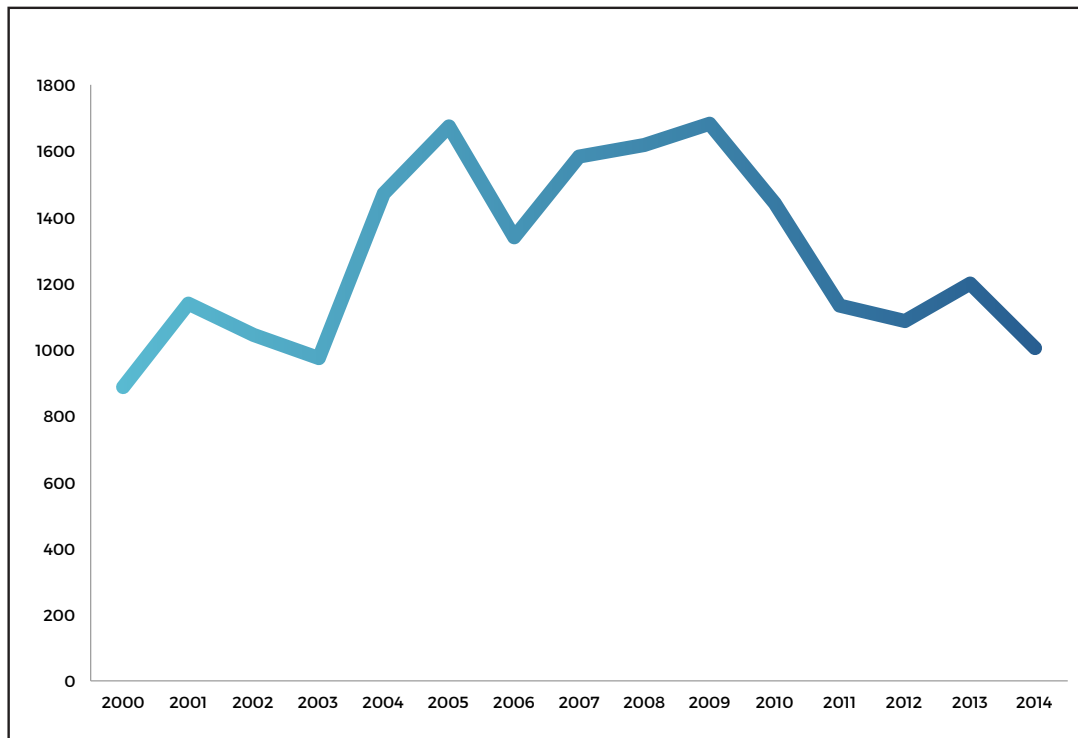
bilateral cooperation on this issue is Jamaica's willingness to recognize the importance of promoting equal rights for all persons regardless of their sexual orientation as critical to the democratic development of the country.

The final section of the report discusses policy recommendations organized according to the issue areas. All these areas require a multi-level problem-solving approach, meaning that the ultimate responsibility should not (and cannot) be placed on either actor. Furthermore, Jamaica's participation in these objectives requires the input from civil society actors, private sector, and individuals as well. The Government of Jamaica of course plays a significant role, however citizen responsibility is of paramount importance. The U.S. has undeniably played a crucial role in Jamaica's democratic and economic development, which has helped to sustain Jamaica as a significant actor in the Caribbean region. This final report contributes to the continued dialogue between the U.S. and Jamaica and aspires to foster increased policy coordination, which will enable deeper, amenable, bilateral relations.



# I. ENHANCING SECURITY

**FIGURE 1.1: JAMAICA HOMICIDE COUNT, 2000 – 2014**



Source: United Nations Office of Drugs and Crime

One of the major challenges to economic development that Jamaica confronts is mitigating crime and thus enhancing citizen security. According to the United Nations Office of Drugs and Crime (UNODC), Jamaica has the 6th highest homicide rate in the world.<sup>4</sup> High crime rates not only deter foreign investors and tourists but it is also a contributing factor for the migration of skilled workers. Figure 1 depicts the homicide count for Jamaica for the period 2000 - 2014. Although there has been a consistent reduction in homicide from 2009 until 2014 (with a spike in 2013), for a country with a population of less than 3 million, Jamaica's homicide

rate is still too high. The homicide rate has been linked to two major transnational crimes: 1) narcotics trafficking and 2) lottery scamming. The narcotics trade especially has been responsible for a major portion of Jamaica's gang-related violence. The more recent lottery/internet scamming has not only negatively affected the Jamaican population but has also victimized many vulnerable U.S. citizens. As such, the most urgent issues on Jamaica's national security agenda include mitigating narcotics trafficking and the investigating and prosecuting of lottery scamming perpetrators.

<sup>4</sup> UNODC, Global Study on Homicide (Vienna: United Nations Office on Drugs and Crime, 2013).



## OVERVIEW OF THE INTERESTS

One of the foremost issues on the Government of Jamaica's (GOJ) agenda is to mitigate, deter, and penalize all forms of narcotics trafficking. On this issue, Jamaica and the U.S. share mutual interests. Jamaica is primarily concerned with this issue because the drug trade has deleterious social and health consequences for the society as well as hinders economic development. Moreover, drug trafficking has compromised citizen security. While the devastating effects of drug trafficking and drug abuse might not be as salient in the U.S., it nevertheless imposes harm on the morale of its society as well and challenges U.S. national security interests. In fact, some studies suggest that there is a self-reinforcing nexus between narcotics trafficking networks and terrorist organizations.<sup>6</sup> Therefore, the U.S. has a vested interest in cooperating and coordinating with Jamaica on several policies that deter the trans-shipment of these harmful substances. The production, distribution and usage of narcotics have heinous economic and social effects on both countries and for Jamaica in particular, it not only presents both domestic challenges but also tarnishes our international reputation, thereby potentially hindering the country's potential for foreign direct investment.

The primary challenge both countries' law enforcement officials encounter is deterring drug producers, dealers and traffickers from the lucrative allure of the narcotics trade. In 2013, the global drug trade had an approximate value of US\$320 billion according to UN estimates. In the Americas alone, that figure stood at approximately US\$150 billion.<sup>7</sup> The drug trade is big business! In a developing country such as Jamaica where employment opportunities are relatively limited, some members of the poorer communities often view drug dealing as a means to escape poverty. But in the majority of cases, this has a counterintuitive effect for narcotics criminals. Instead of breaking the cycle of poverty, participants perpetuate a vicious circle of victimization and crime, which ultimately ends in either incarceration and/or homicidal deaths.

In the Caribbean region, Jamaica is the largest producer and exporter of marijuana.<sup>8</sup> While popular culture might downplay the gravity of marijuana smoking, for law enforcement officials,

marijuana presents a challenging obstacle in the war on drugs for two major reasons. One, traffickers often use marijuana as a means of exchange for other drugs such as cocaine.<sup>9</sup> And two, marijuana can also be classified as a gateway drug to the use of more harmful substances such as crack cocaine, heroin and/or methamphetamine.<sup>10</sup> Furthermore, international drug traffickers take advantage of Jamaica's widespread income inequality and poverty. In addition to this, many of the leading drug rings have the financial capability to bribe high-level officials.<sup>11</sup>

The challenge that the U.S faces is how best to crack down on the drug triangle that includes South American countries, the Caribbean and North America. Because of Jamaica's marijuana production and also its geographical location, the country is a vital hub in the drug trade and connects major illicit drug producers and traffickers across several countries. The International Narcotics Control Board states that:

"In 2013, the Government of Jamaica eradicated 247 ha of cannabis plant, compared with 711 ha in 2012. The total area of cannabis plant cultivation in Jamaica was estimated at 15,000 ha, out of total arable land of approximately 120,000 ha. Statistics indicate that 30,900 kg of cannabis were seized in 2013, compared with 66,832 kg in 2012. Cannabis trafficking organizations in Jamaica focus on trafficking directly to Canada and the United Kingdom, as well as to the Bahamas, the Cayman Islands, the Dominican Republic and Haiti, for onward shipment to Europe and North America."<sup>12</sup>

For Jamaica, the primary consequence associated with the drug trade is gang violence and purportedly the sale and distribution of illicit drugs have contributed to this trend;<sup>13</sup> the exchange of illicit drugs for the acquisition of illegal firearms into the country is one of the primary causes of gang violence.<sup>14</sup> Furthermore, because of Jamaica's corruption-enabling environment, the nexus between the drug trade and corruption is a self-sustaining model. The trans-border shipment of drugs is able to occur because of corrupt officials and the lucrative value from drug trafficking perpetuates corrupt activities.

5 Tamara Makarenko, "The Crime-Terror Continuum: Tracing the Interplay between Transnational Organised Crime and Terrorism," *Global crime* 6, no. 1 (2004).

6 Jose Miguel Insulza, *The Drug Problem in the Americas: The Economics of Drug Trafficking* (Washington D.C.: Organization of American States,).

7 Ibid.

8 Mark Sullivan, "Jamaica: Background and U.S. Relations," Congressional Research Service (2010).

9 International Narcotics Trade Board, *Annual Report 2014* (New York, NY: United Nations, 2014).

10 Wayne D. Hall and Michael Lynskey, "Is Cannabis a Gateway Drug? Testing Hypotheses About the Relationship between Cannabis Use and the Use of Other Illicit Drugs," *Drug and Alcohol Review* 24, no. 1 (2005).

11 M. Kenney, "The Architecture of Drug Trafficking: Network Forms of Organisation in the Colombian Cocaine Trade," *Global Crime* 8, no. 3 (2007).

12 International Narcotics Trade Board, *Annual Report 2014*, 51.

13 UNODC, *Global Study on Homicide*.

14 United States Department of State, "International Narcotics Control Strategy Report," Bureau for International Narcotics and Law Enforcement Affairs Volume I: Drug and Chemical Control (2016).

A similar pattern of poverty, desperation and crime can also be seen in lottery scamming. Often times the community views the scammers as “Robin Hoods” or as individuals who are engaging in these seemingly victimless crime in order to make a living. However, it is important to recognize that lottery scamming is just as heinous of an act as narcotics trafficking. The lack of fatalities and/or physical injuries does not mean that the consequences are any less devastating. In a public forum on Security, U.S. Ambassador Luis Moreno emphasized that it is vital that we put a face to lottery scamming.<sup>15</sup> He urged that we show the public that these criminals are not heroes of the community, but rather they are robbing some of the most vulnerable segments of the U.S. population.<sup>16</sup> Prof. Anthony Harriott concurred with Ambassador Moreno in stating that many of the individuals who are victimized by the lottery scammers have diminished cognitive capacity.<sup>17</sup>

## OVERVIEW OF THE RESPONSES

Both countries have taken measures in order to ameliorate the specific problems of drug trafficking, lottery scamming and the general challenge of citizen security. These responses can be organized according to domestic, unilateral U.S. responses and bilateral responses.

Jamaica’s strategy from the 1980s through the early 2000s was to eradicate all marijuana plants. In cooperation with U.S. law enforcement forces, the country launched Operation Buccaneer in order to address the narcotics trade from the supply side.<sup>18</sup> However, the eradication of marijuana plants proved problematic for law enforcement agencies for three major reasons: 1) the majority of marijuana plants are grown in the mountainous regions of Jamaica thus requiring the use of costly aerial technology to track and monitor, 2) the widespread scope of marijuana farming makes it particularly difficult to destroy all plants, and 3) the government’s ban against using herbicide as a removal method limits the scope and effectiveness of the operation.<sup>19</sup>

The GoJ has also incorporated anti-drug initiatives in its national security agenda. The Ministry of National Security’s (MNS)

implementation of the National Security Policy demonstrates the GoJ’s commitment to solving the country’s issues with public safety and citizen security. In this regularly revised document, the MNS outlines six key reforms in which Jamaica can improve the livelihoods of their citizens: “ 1) Remove the profit from crime, 2) Reform the justice system 3) Policing by consent 4) Adopt a coherent anti-gang strategy, 5) Focus on at-risk individuals and communities, and 6) Strengthen systems of governance.”<sup>20</sup>

The U.S. approach to combating the narcotics trade and crime in Jamaica has been a mixed strategy of unilateral initiatives and bilateral cooperation. These unilateral initiatives can be seen in the U.S. government’s donations of critical vehicles, equipment and supplies to Jamaica’s law enforcement agencies. For example, in 2015 the U.S. government donated several 27-foot boats to the JCF Maritime Division.<sup>21</sup> The government also donated approximately US\$1 million to the Major Organized Crime and Anti-Corruption Agency (MOCA), the Independent Commission on Investigations (INDECOM), and other key anti-crime agencies in order to train law enforcement personnel in crime fighting measures.<sup>22</sup>

Bilaterally, both countries have engaged in a number of anti-narcotic trafficking agreements. Most salient of which is the Caribbean Basin Security Initiative (CBSI). Under this initiative, the U.S. has committed more than US\$263 million in funding since 2010. The issue areas in which this funding address include: “1) Maritime and Aerial Security Cooperation, 2) Law Enforcement Capacity Building, 3) Border/Port Security and Firearms Interdiction, 4) Justice Sector Reform and 5) Crime Prevention and At-Risk Youth.”<sup>23</sup>

Other bilateral agreements include a Mutual Legal Assistance Treaty, which was signed and has been adhered to since 1989. Under this treaty, both governments agree to share information on criminal matters that will aid in the prosecution of “drug cartels, white collar criminals and terrorists.”<sup>24</sup> Jamaica and the U.S. are also signatories to an extradition treaty, the effectiveness of which was demonstrated in the capture, extradition and prosecution of Jamaican drug kingpin, Christopher “Dudus” Coke in 2010.

15 “Security,” in Dialogue Between Democracies (Kingston, Jamaica: Caribbean Policy Research Institute, January 25, 2016).

16 Ibid.

17 Ibid.

18 Suzette Haughton, *Drugged Out: Globalisation and Jamaica’s Resilience to Drug Trafficking* (Lanham, MD: Rowman & Littlefield Publishing Group, Incorporated, 2011).

19 Ibid.

20 Ibid.

21 International Narcotics Trade Board, *Annual Report 2014* (New York, NY: United Nations, 2014).

22 Ministry of National Security, *A New Approach: National Security Policy for Jamaica* (Kingston: Government of Jamaica, 2014).

23 United States Department of State, “International Narcotics Control Strategy Report,” Bureau for International Narcotics and Law Enforcement Affairs Volume I: Drug and Chemical Control (2016).

24 Mark Cummings, “Us Ambassador Warns Ja About Crime’s Negatives,” *The Jamaica Observer*, [http://www.jamaicaobserver.com/news/US-ambassador-warns-Ja-about-crime-s-negatives\\_19233014](http://www.jamaicaobserver.com/news/US-ambassador-warns-Ja-about-crime-s-negatives_19233014).

## LIMITATIONS TO FURTHER BILATERAL COOPERATION

Limitations to further bilateral cooperation in enhancing security are intertwined with Jamaica's domestic challenges in addressing narcotics trafficking. The four major domestic challenges are: 1) over reliance on the extradition treaty, 2) insufficient resources, 3) community protection of criminals, and 4) corruption of law enforcement officials. These all pose limitations to potential future bilateral cooperation because if Jamaica is not able to overcome these hurdles then the probability of upholding any type of bilateral agreement or treaty is compromised.

The first challenge is the perception that Jamaica is depending too much on the extradition treaty with the U.S. in order to tackle key criminals. This is a perception that is shared by not only members of the general public but also security scholars such as Prof. Anthony Harriott.<sup>25</sup> Although Harriott agrees with the views shared by Jamaica's Commissioner of Police, Dr. Carl Williams, that extradition is a powerful and valuable tool, he states that relying solely on extradition as a means to deal with Jamaica's major criminals instead of prosecuting them domestically signals to the public that these criminals can continue breaking the law with impunity.<sup>26</sup> He suggests instead that Jamaica strengthens its domestic institutions, in particular its justice system, and tackle these challenges directly instead of relying on the extradition treaty with the U.S. in order to prosecute offenders.<sup>27</sup> Likewise, Ambassador Moreno expresses that although extradition is an effective tool, extradition proceedings are lengthy and bureaucratic by nature.<sup>28</sup> Thus, while the U.S.-Jamaica extradition treaty has been a pillar of bilateral cooperation on security matters, it is important that the GoJ take the necessary measures to improve its domestic law enforcement performance and justice system in order to balance the use of extradition with domestic prosecution.

The second challenge that limits the potential of further bilateral cooperation in counter narcotics measures and

other security enhancement mechanisms is Jamaica's lack of sufficient resources to support both the criminal justice and legal systems. Despite funding under the CBSI, the criminal justice system continues to be heavily underfunded, as exemplified by the low salaries of police officers and other law enforcement personnel. Another major domestic challenge that impedes the protection of the citizenry is Jamaica's overburdened justice system. The 2016 INCSR Report highlighted that "the conviction rate for murder was approximately 15 percent in 2015, and the courts continued to be plagued with a culture of trial postponements and delay."<sup>29</sup>

The third challenge that law enforcement officials confront is gathering sufficient evidence in order to prosecute drug criminals. The INCSR reports that "gangs are sometimes afforded community protection, and in some cases supported through police corruption."<sup>30</sup> Community protection of criminals is widely carried out and tolerated. The reasons why persons would choose to protect a known drug dealer and/or criminal range include intimidation, loyalty, and benefits. Local garrison leaders, or Don's as they are commonly referred to, usually provide basic social and public goods for the community. In a society where there is a wide socioeconomic inequality and the general distrust of law enforcement officials, the role of these leaders is defended by community members.

Furthermore, the corruption of public officials such as law enforcement officers presents a fourth challenge in mitigating the narcotics trade. In January 2016, the Major Organized Crime and Anti-Corruption Agency (MOCA) arrested two policemen and a former police officer at the Norman Manley International Airport (NMIA).<sup>31</sup> It is alleged that the gentlemen were attempting to traffic the drugs across borders.<sup>32</sup> Furthermore, Prof. Harriott comments that in the past, "members of the Narcotics Division have been found to exploit professionally-acquired information to shakedown drug traffickers and even directly participate in drug trading for both the export and local retail markets."<sup>33</sup> If the Government of Jamaica (GoJ) doesn't adequately address the level of corruption in critical areas of the public sector such as the Jamaica Constabulary Force (JCF), any bilateral efforts to reduce the narcotics trade or any trans-territorial crime for that matter will be thwarted.

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25 United States Department of State, "The Caribbean Basin Security Initiative: Jamaica," Bureau of Western Hemisphere Affairs (December 5, 2013).

26 "Treaty with Jamaica on Mutual Legal Assistance in Criminal Matters," ed. United States Department of State (Washington D.C.: U.S. Government Printing Office, 1989).

27 "Security."

28 Ibid.

29 Ibid.

30 Ibid.

31 Bureau for International Narcotics and Law Enforcement Affairs, "International Narcotics Control Strategy Report: Drug and Chemical Control," United States Department of State Volume I (March 2016).

32 Ibid.

33 "2 Policemen, Ex-Cop Nabbed in Nmia Drug Bust," (Saturday, January 23, 2016), <http://www.jamaicaobserver.com/latestnews/2-policemen--ex-cop-nabbed-in-NMIA-drug-bust>.

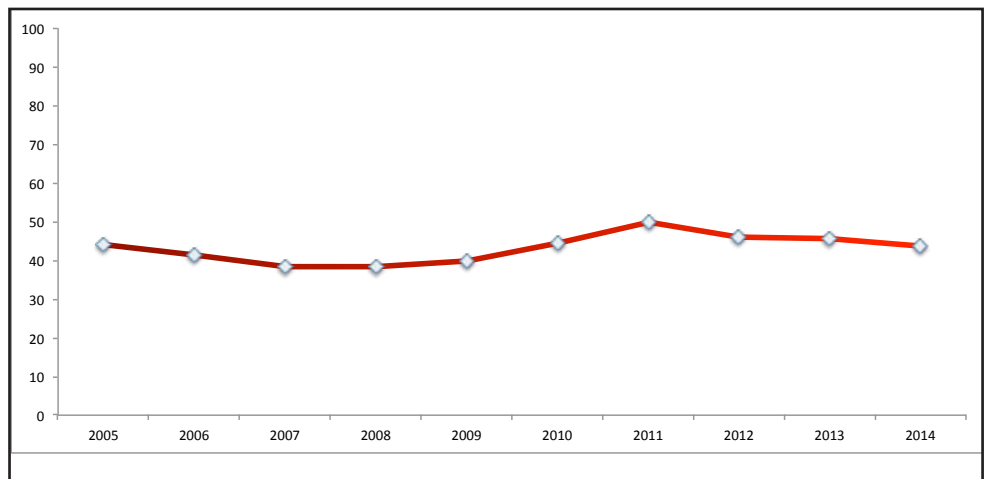


## II. EMBOLDENING DEMOCRATIC GOVERNANCE

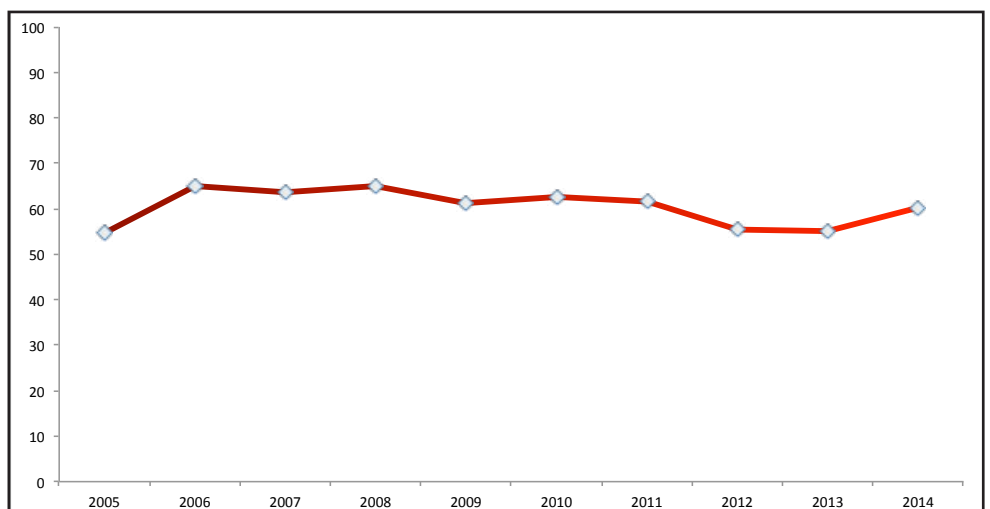
**FIGURES 2.1 - 2.6: JAMAICA'S PERCENTILE RANK ON THE WORLDWIDE GOVERNANCE INDICATORS FOR THE PERIOD, 2005 - 2014**

Source: [www.govindicators.org](http://www.govindicators.org)

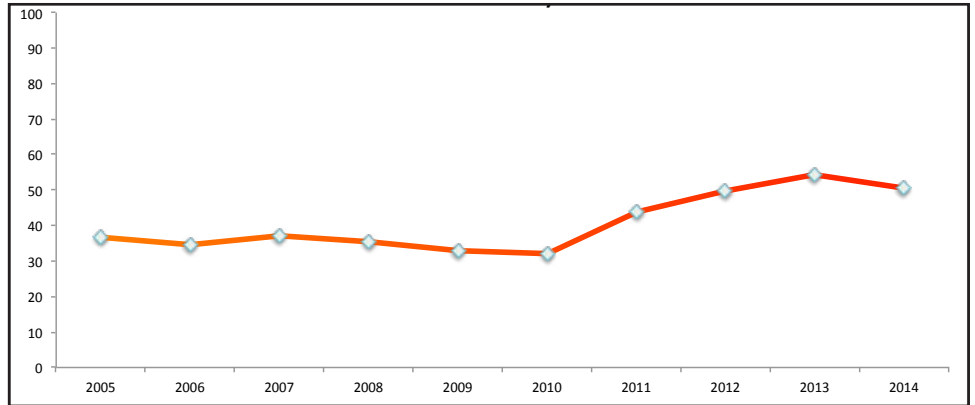
### CONTROL OF CORRUPTION (PERCENTILE RANK)



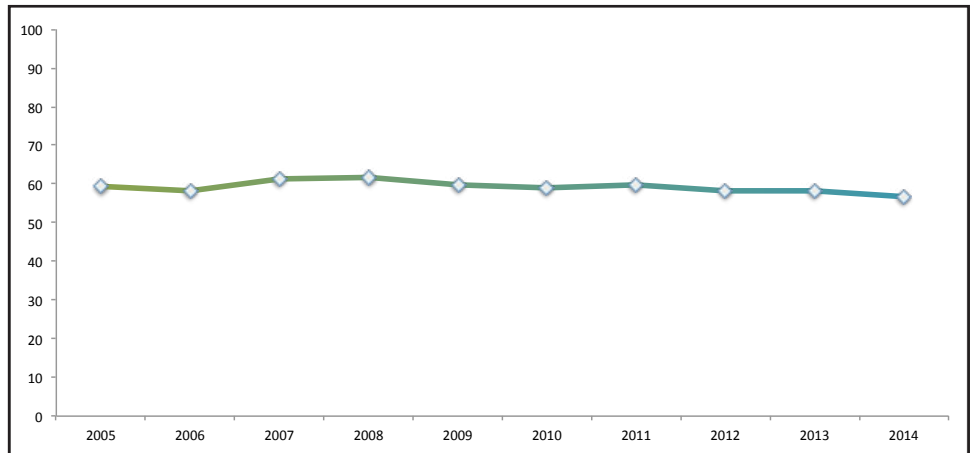
### GOVERNMENT EFFECTIVENESS (PERCENTILE RANK)



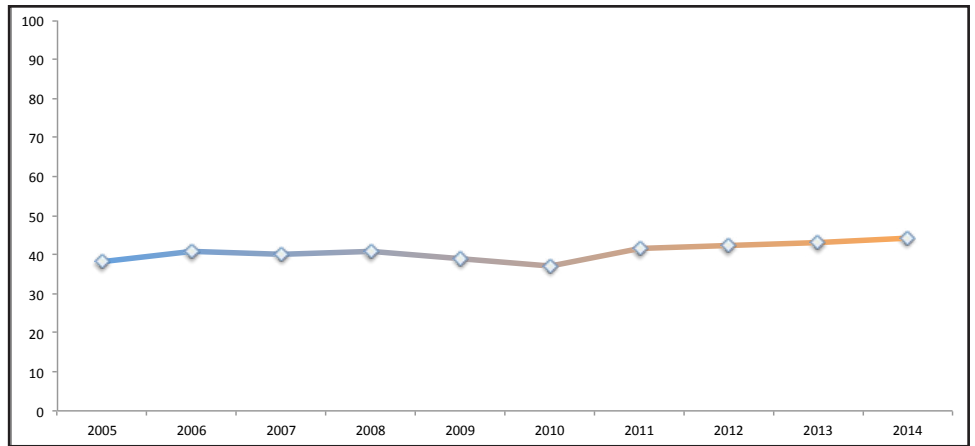
**POLITICAL STABILITY  
AND ABSENCE OF  
VIOLENCE/ TERRORISM  
(PERCENTILE RANK)**



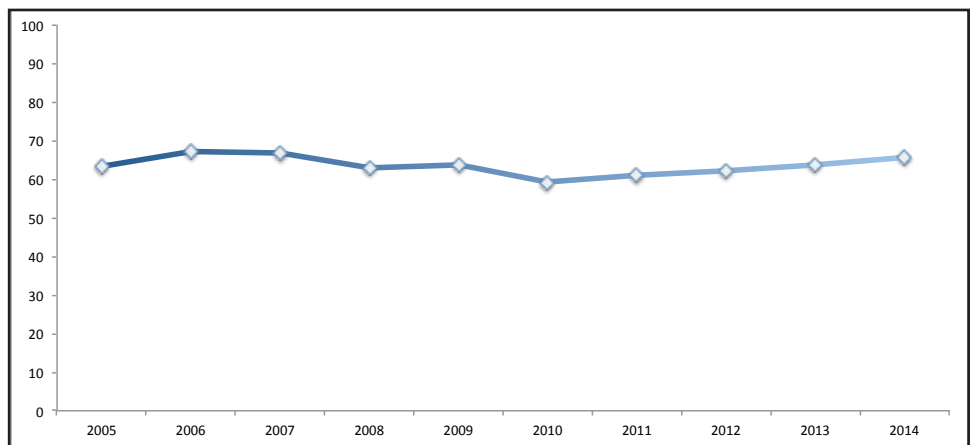
**REGULATORY QUALITY  
(PERCENTILE RANK)**



**RULE OF LAW  
(PERCENTILE RANK)**



**VOICE AND ACCOUNTABILITY  
(PERCENTILE RANK)**



## OVERVIEW OF THE INTERESTS

Although crime is Jamaica's gravest national security concern, reducing corruption is also prioritized on the country's national development agenda. Jamaica has been a stable democracy since 1962 but it continues to struggle with key democratic challenges. Most salient of these challenges is the entrenched corruption that can be seen in all levels of society from petty corruption to grand public sector corruption.<sup>34</sup> Furthermore, crime and corruption are closely intertwined. The USAID comments that: "The nexus between crime, corruption, and entrenched political culture of patronage, and waste and abuse of state resources fuels Jamaica's crime epidemic and social instability."<sup>35</sup>

Figures 2.1 through 2.6 depict Jamaica's performance on the Worldwide Governance Indicators, a composite index that measures the quality of governance in 215 countries based on six dimensions: 1) Voice and Accountability, 2) Political Stability and Absence of Violence, 3) Government Effectiveness, 4) Regulatory Quality, 5) Rule of Law, and 6) Control of Corruption. Data is collected from a combination of over 30 sources from a variety of sectors including household and firm surveys, commercial business information providers, NGOs and public sector organizations. The scale ranges from -2.5 to 2.5, where the higher the score indicates increasingly better quality of governance.

Each graph depicts the percentile rank for the specific dimension. On all dimensions, Jamaica's performance has been consistent for the past decade. In 2014, Jamaica performed strongest on the Voice and Accountability dimension, with a percentile rank of 65.52. This tells us that Jamaica performed better than approximately 66 percent of the countries in the study's sample. Jamaica performed weakest on Control of Corruption with a percentile rank of 43.75, which tell us that Jamaica performed better than approximately 44 percent of the countries in the sample.

This finding is unsurprising both from an empirical perspective and the sentiment of the population. Corruption has been one of Jamaica's major challenges to economic development. Other statistical indices that measure corruption have also consistently ranked Jamaica relatively poorly (for example, Transparency International's Corruption Perceptions Index which ranks Jamaica 69 out of 168 countries with a score of 41 out of 100, where 0 implies the highest perceived level of corruption; and 100 implies the least perceived level of

corruption). Similarly, the general attitude of the majority of Jamaicans is that the country has a deeply entrenched level of corruption encompassing both public and private sectors. In a 2014 public opinion survey conducted by the Latin American Public Opinion Project (LAPOP) where they measured the public's perception of corruption, Jamaica ranked 11<sup>th</sup> out of a sample of twenty-six countries with a score of 75.2 on a 100 point scale, where 100 indicated the highest perceivable level of corruption.<sup>36</sup>

Corruption is not a practice confined to developing countries. Every country, developing or otherwise, has some degree of corruption. In fact, some of the most public and costly corruption scandals have taken place in developed countries (e.g. the U.S. energy company, Enron scandal). However, what sets developing countries apart from developed countries is the impunity with which these crimes are prosecuted. In developed countries, we might hear and see high-level officials and executives impeached from office or incarcerated; however, in many developing countries, instances of corruption, bribery and other offenses that upends democratic institutions often go unpunished. The media might raise public awareness on the incident and the public becomes enraged for several weeks, but shortly after the offenders and offenses are soon forgotten (and often times absolved).

## OVERVIEW OF THE RESPONSES

Corruption bears costs for both U.S. investors and Jamaica's domestic businesses. Because of Jamaica's high-perceived level of corruption, many U.S. investors are unwilling to take the risk to invest in Jamaica. Because of this negative perception, investors may forego potential investment opportunities. Therefore, this high perceived level of corruption limits Jamaica's potential to attract foreign direct investment and development assistance.<sup>37</sup>

Because of this high perceived level of corruption and the associated transnational costs, both countries have taken measures in order to mitigate the abuses of public office for private gain. Domestically, Jamaica has undertaken several initiatives in order to mitigate abuses of political power. The three most prominent examples of these initiatives include the establishment of the Independent Commission of Investigations (INDECOM), the Major Organized Crime and Anti-Corruption Agency (MOCA), and National Integrity Action (NIA). The U.S. has provided full support and assistance to these organizations.

34 Garfield Higgins, "Jamaica Has to Clean up the Mess of Corruption," *The Jamaica Observer* (Sunday, April 19, 2015), [http://www.jamaicaobserver.com/columns/Jamaica-has-to-clean-up-the-mess-of-corruption\\_18766507](http://www.jamaicaobserver.com/columns/Jamaica-has-to-clean-up-the-mess-of-corruption_18766507).

35 USAID Jamaica, "Jamaica Country Assistance Strategy (2010-2014)."

36 Anthony Harriott, *Police and Crime Control in Jamaica: Problems of Reforming Ex-Colonial Constabularies* (Kingston, Jamaica: University of the West Indies Press, 2000).

37 On the contrary, some studies have shown that certain corruption indices such as Transparency International's Corruption Perceptions Index has no measurable effect on the inflow of official development assistance in Jamaica. See Hawthorne, O. (2015). *Do International Corruption Metrics Matter?: The Impact of Transparency International's Corruption Perception Index*. Lanham, MD, Lexington Books.



For the U.S., Jamaica's anti-corruption efforts and institutional capacity building are of paramount importance both from ideological and economic standpoints. First, the U.S. spends billions of dollars every year in order to promote democracy. A high level of corruption is usually indicative of weak democratic institutions. As stated in the introduction, although Jamaica has been a stable democracy since independence, that is, no political coups, assassinations, etc., that doesn't necessarily mean that the country has sufficiently strong democratic institutions. In fact, the conceptualization of democracy is so varied that major indices of democracy (e.g. Polity, Freedom House, and The Economist's Democracy Index) differ as to which dimensions accurately capture and measure democracy. Therefore, it is difficult to identify unambiguously what constitutes strong institutions. Nevertheless, it is indisputable that having a low level of corruption is certainly a hallmark of a democratic culture.

The U.S. has played an instrumental role in promoting democratic culture and values in Jamaica since its independence. USAID has been actively involved in institution building and strengthening in Jamaica since then. One example of such a project is USAID Combatting Corruption project, which lasted from 2012 to 2015. In this project, USAID donated US\$2.9 million to NIA in order to facilitate anti-corruption training workshops for major public sector organizations such as the Social Development Commission (SDC).

## LIMITATIONS TO FURTHER BILATERAL COOPERATION

Several factors limit the depth or range of potential bilateral cooperation in emboldening democratic governance. One challenge is the scope of inter-agency cooperation, from both a domestic and a transnational standpoint. In order to sufficiently address the issue of corruption, all local agencies need to be able to share and access information with each other; likewise, the US federal agencies that assist local law enforcement need to be able to quickly and seamlessly disseminate information without encountering bureaucratic hurdles. While the vigor with which these agencies pursue anticorruption initiatives is commendable, the potential risk of duplicated efforts is increased if there is not a seamless interagency communication network.

Another limitation that is faced lies in the sociopolitical culture of Jamaica. Jamaica has an embedded culture of patronage. USAID comments on incidents of corruption that "violations are not merely the result of mismanagement or incompetence, but a direct product of the political system that rewards patronage at the expense of transparency."<sup>38</sup> Therefore, it will be difficult to transform the mindset of individuals that have become used to bestowing favors, privilege, and other types of financial or political gain on their friends, family, and other associates, in pursuit of the abstract tenets of transparency and accountability.

38 Balford Lewis Anthony Harriott, Elizabeth Zechmeister, *Political Culture of Democracy in Jamaica and in the Americas*, 2014: Democratic Governance across 10 Years of the Americasbarometer (Kingston: USAID/Jamaica, 2015).



### III. INCREASING TRADE AND INVESTMENT

**FIGURE 3.1:**  
TRADE AS A  
PERCENTAGE  
OF GDP

Source: World Bank Indicators



### OVERVIEW OF THE INTERESTS

The third area in which Jamaica and the U.S. interests overlap is in the area of trade and investment. Jamaica’s political class has placed renewed emphasis on the primacy of economic growth. This includes secondary and tertiary goals: to wholly integrate Micro, Small and Medium Sized Enterprises (MSMEs) into the economy and to improve sustainability. It should be noted however that these three goals are inextricably linked. One of the ways in which Jamaica has attempted to achieve these goals is by expanding trade and attracting foreign investment. Arguably, trade and investment has been the linchpin to Jamaica’s foreign economic policy. Since the U.S. is Jamaica’s primary trading partner, the country’s economic policies have reflected an amenable climate for U.S. trading

and investment partners. This supports the U.S. post WWII trade policy, which is to reduce impediments to trade and to expand the volume and intensity of international trade. This is reflected by the U.S. active role in setting up global trade institutions such as the World Trade Organization. Because of the slow and complex nature of WTO negotiations however, the U.S. has struck several bilateral and regional trade agreements with several key partners in order to facilitate and expand trade levels and ultimately contributing to economic growth and development.

Therefore, one of the ways in which Jamaica has demonstrated its willingness to increase its level of trade is by liberalizing tariffs and non-tariff barriers. Since the 1990s, Jamaica has successfully improved its trade openness by removing these impediments to trade. In fact, if we were to compare Jamaica’s



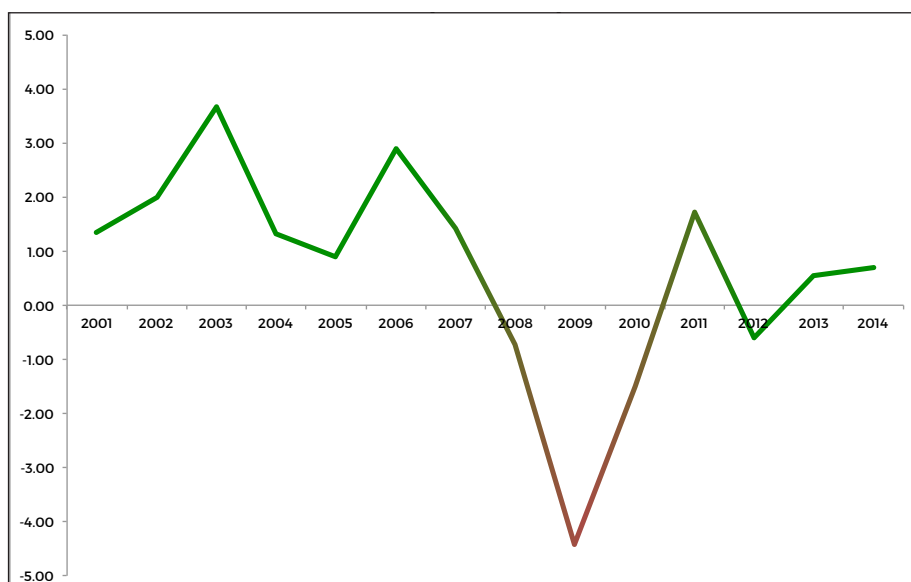
level of openness to other key regions, we would find that the ratio of Jamaica's trade to GDP stands out as relatively high compared to its counterparts. Figure 3.1 illustrates trade expressed as a percentage of GDP for Jamaica, the U.S., Latin America and the Caribbean region, Caribbean small states<sup>39</sup>, and the world. The trade as a percentage of GDP indicator predicts that the higher a country's trade to GDP ratio, the more likely that country is in pursuit of free market policies as opposed to protectionist economic policies. As the Figure shows, Jamaica has consistently had a higher trade to GDP ratio than its comparatives. The only region that has demonstrated a higher trade to GDP ratio during certain periods is the Caribbean small states region as a whole (which includes Jamaica). However, it is important to note that smaller states generally have higher trade ratios; therefore, this data could possibly reflect Jamaica's relatively smaller size rather than its attitude towards trade openness.

Despite Jamaica's commitment to trade liberalization, economic growth has proven to be a challenge especially during periods of global economic turmoil because the country does not have sufficient mechanisms in place to guard against market fluctuations. This was reflected during the 2008 Global Economic Recession. Figure 3.2 illustrates that during the period 2008 to 2010, Jamaica experienced a dip in economic growth. Jamaica's service industry in particular was adversely affected during the recession. This negatively affected the economy since services account for approximately 72 percent of Jamaica's GDP (Figure 3.3 illustrates Jamaica's three major sectors and their corresponding contribution to GDP).

Second, Jamaica also has a keen interest in promoting not just economic growth but wholly inclusive economic growth. "Inclusive Growth is economic growth that creates opportunity for all segments of the population and distributes

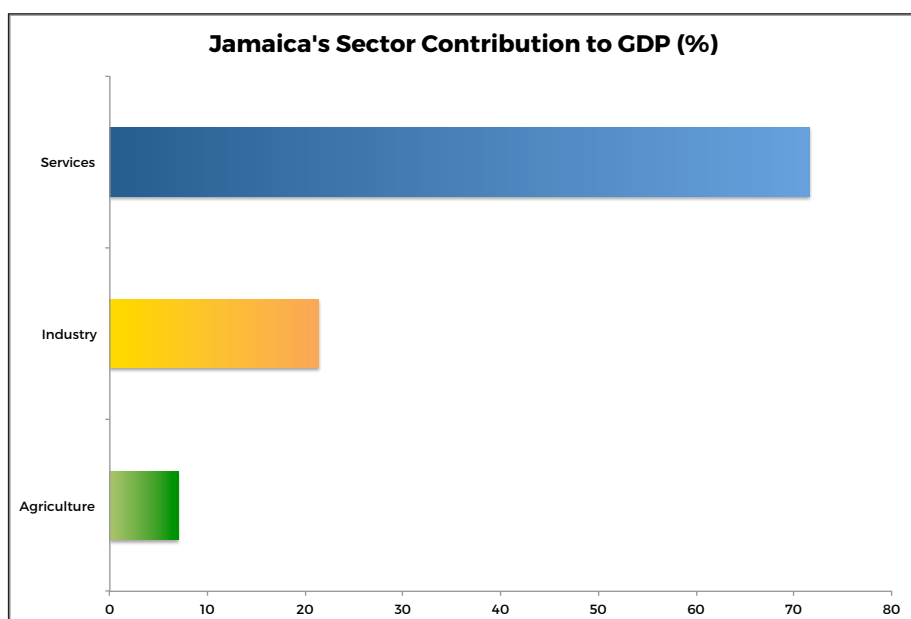
**FIGURE 3.2:  
JAMAICA'S  
ANNUAL GDP  
GROWTH,  
2001-2014**

Source: World Bank Indicators



**FIGURE 3.3:  
JAMAICA'S  
SECTOR  
CONTRIBUTION  
TO GDP (%)**

Source: CIA Factbook



39 The World Bank classifies the following countries as members of the Caribbean Small States region: Antigua and Barbuda, Jamaica, The Bahamas, St. Kitts and Nevis, Barbados, St. Lucia, Belize, St. Vincent and the Grenadines, Dominica, Suriname, Grenada, Trinidad and Tobago and Guyana.

the dividends of increased prosperity fairly across society.”<sup>40</sup> In particular, the promotion of Micro, Small and Medium-Sized Enterprises (MSMEs) is of paramount importance to the GoJ and the private sector, as the benefits of integrating these peripheral sectors into the mainstream economy have become evident. Donovan Wignal, President of the MSME Alliance, reports “MSMEs contribute to the creation of wealth, employment, and income generation, both in rural and urban areas, thus, ensuring a more equitable income distribution.”<sup>41</sup> Furthermore, the Ministry of Industry, Commerce, Agriculture and Fisheries reports that MSMEs account for 90 percent of jobs in the Jamaican economy. Therefore, in order to achieve the overarching goal of economic growth, one of the critical concerns of the Jamaican government is to provide an environment that promotes widespread inclusiveness and reduces the inequality gap.

The third pressing interest for Jamaica is to create a sustainable environment for current and future generations. This objective encompasses the transformation of Jamaica’s energy industry. According to Jamaica’s National Energy Policy, the Jamaican economy can be characterized by “high energy intensity and low efficiency.”<sup>42</sup> According to the Jamaica Public Service (JPS), in June 2016, the average residential consumer in Jamaica paid US 21 cents per kWh.<sup>43</sup> This is higher than the average cost of electricity in the U.S., where the average residential consumer paid US 12.43 cents per kWh.<sup>44</sup> Jamaica generates over 90 percent of its electricity from fossil fuels.<sup>45</sup> The country’s dependency on fossil fuels has been one of the major impediments to economic development. Therefore, one of Jamaica’s most urgent goals has been to find more affordable, efficient and secure sources of energy. In addition to this, the country’s geographic position places it at high risk for negative environmental effects associated with Global Climate Change. Therefore, it is in Jamaica’s interest that its economic activities contribute to the reduction of greenhouse gas emissions and other environmental hazards. In doing so, not only will Jamaica

## OVERVIEW OF THE RESPONSES

fulfill its obligation to the Paris Climate Change Agreement but it will also ensure sustainable economic growth.

From a domestic standpoint, the foremost program that Jamaica has implemented in order to attract trade and investment is the National Export Strategy (NES), a component of Vision 2030 - Jamaica’s National Development Plan. This program was launched from 2010 to 2013 by the Ministry of Industry, Investment and Commerce, in association with key partners and stakeholders such as JAMPRO, the Jamaica Exporters Association and the Jamaica Trade Board. The NES enhances trade by improving the competitiveness of domestic firms as well as improving Jamaica’s business. The overall aim of the program was to “reduce Jamaica’s trade deficit through targeted intervention in key sectors and across key areas of commonality.”<sup>46</sup> One of the targets of the NES was to increase Jamaica’s exports as a percentage of GDP by 33.33%. While this goal has not been achieved as yet, the country’s exports percentage of GDP has been gradually increasing since 2010 from 10.1 percent in 2010 to 11.5 percent in 2012.<sup>47</sup>

The U.S. has been instrumental in assisting Jamaica to achieve these goals. Historically, the U.S. has pursued a unilateral response in expanding trade in the Caribbean region.<sup>48</sup> These unilateral responses have been typically in the form of preferential trade agreements where the U.S. grants concessions to these developing countries without requiring any reciprocal measures.<sup>49</sup> Seminal amongst these is the Caribbean Basin Initiative (CBI), a unified initiative that consists of the Caribbean Basin Economic Recovery Act of 1983 (CBERA) and the Caribbean Basin Trade Partnership Act of 2000 (CBTPA).<sup>50</sup> This unilateral initiative was first launched as a means of providing development assistance to the Caribbean in order to secure U.S. national interests. However,

40 OECD, “Inclusive Growth,” <https://www.oecd.org/inclusive-growth/>.

41 Donovan Wignal, “The Role of the Msmes in Financial Inclusion and Economic Development,” in JDIC Financial Markets Symposium (MSME Alliance, August 29, 2013).

42 Ibid.

43 The Ministry of Energy and Mining, Jamaica’s National Energy Policy, 2009-2030 (Kingston, Jamaica: The Ministry of Energy and Mining, 2009).

44 diGJamaica, “Why Is the Cost of Electricity So High in Jamaica?,” The Gleaner Company, <http://digjamaica.com/blog/2015/01/19/why-is-the-cost-of-electricity-so-high-in-jamaica/>.

45 <http://www.energy.gov/energysaver/estimating-appliance-and-home-electronic-energy-use>

46 “An Overview of Jamaica’s Electricity Sector,” Ministry of Science, Energy and Technology, <http://mstem.gov.jm/?q=overview-jamaicas-electricity-sector>.

47 diGJamaica, “Why Is the Cost of Electricity So High in Jamaica?”

48 NES Secretariat, Jamaica’s National Export Strategy: 3 Year Review and Way Forward (Kingston, Jamaica: JAMPRO, 2014).

49 Ibid.

50 Ibid.

over the years it has evolved into a mechanism that Jamaica has utilized to facilitate and increase trade with the U.S. Figures 3.4 and 3.5 show that the U.S. was Jamaica's primary import and export partner for the period January through October 2015. In fact, according to the Statistical Institute of Jamaica, the U.S. has consistently been Jamaica's primary trading partner historically.<sup>51</sup>

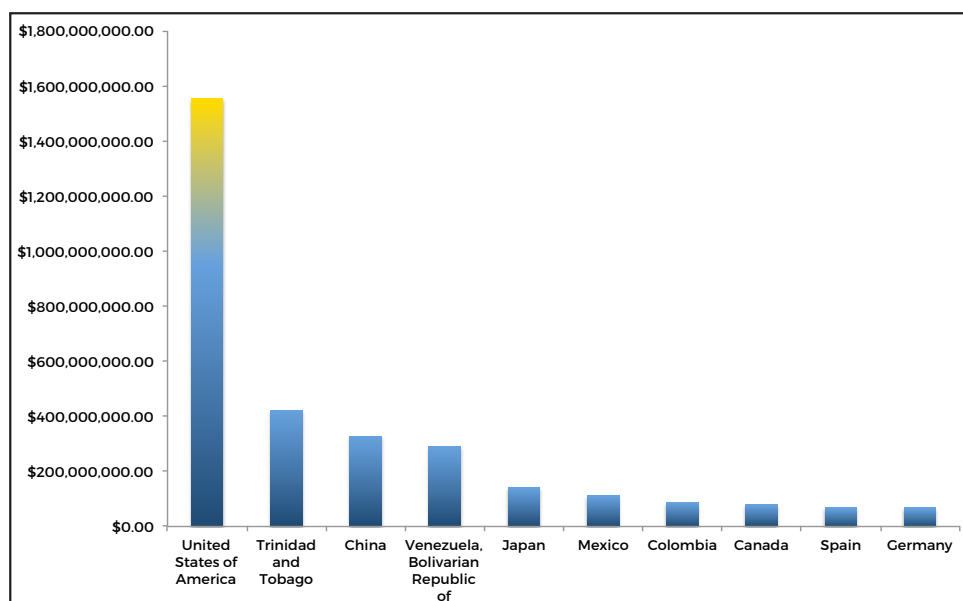
Trade with the U.S. has consistently been higher than trade with other partners, even during periods where U.S.-Jamaica trade levels have decreased. According to the Statistical Institute of Jamaica (STATIN), "Imports from the United States of America (USA), Jamaica's leading trading partner, were

valued at US\$1,842.0 million for 2015, a decrease of 18.0 per cent or US\$403.9 million, while earnings from exports were valued at US\$464.7 million, a fall of US\$104.0 million or 18.3 per cent."<sup>52</sup>

Although approximately 25 percent of Jamaican goods enter the U.S. duty-free under the CBI, some GoJ policymakers such as the former Minister of Foreign Affairs and Foreign Trade, A.J. Nicholson has pointed out that Jamaican exporters have not taken full advantage of the CBI.<sup>53</sup> According to an article in the Jamaica Gleaner, Nicholson commented that: "Jamaica has not made optimum use of the duty-free access under the CBI over the last 32 years, and there is now a proposal to

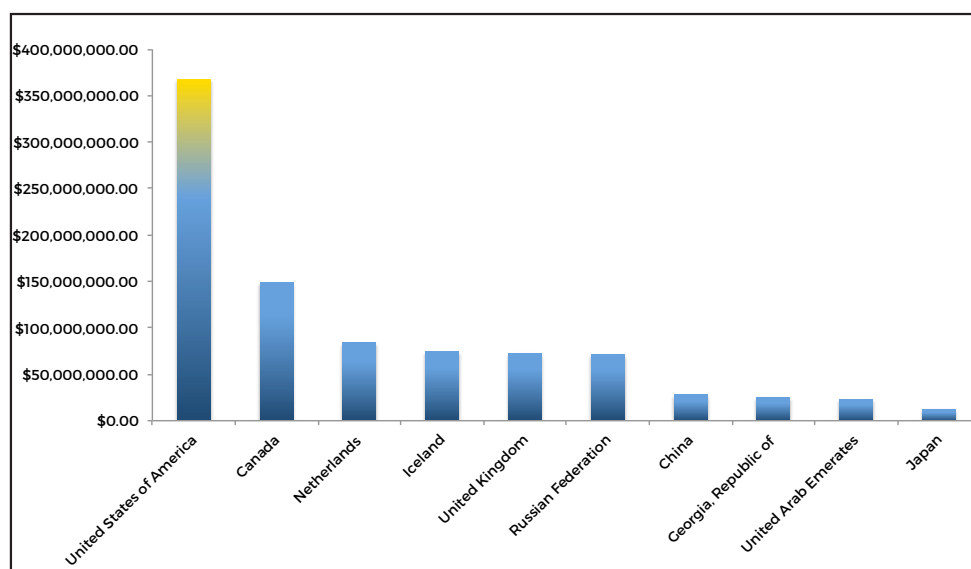
**FIGURE 3.4:**  
**JAMAICA'S**  
**TOTAL VALUE OF**  
**IMPORTS (2015)**  
**JAMAICA'S TOP**  
**10 IMPORT**  
**PARTNERS,**  
**JAN - OCT 2015**

Source: Statistical Institute of Jamaica



**FIGURE 3.5: JAMAICA'S**  
**TOTAL VALUE OF**  
**EXPORTS (2015)**  
**JAMAICA'S TOP**  
**10 EXPORT**  
**PARTNERS,**  
**JAN - OCT 2015**

Source: Statistical Institute of Jamaica



51 Jamaica is a beneficiary of both the CBERA and the CBTPA. While the CBERA does not have a time limit, the CBTPA has term limit and was recently renewed by Congress until 2020. Source: <https://ustr.gov/issue-areas/trade-development/preference-programs/caribbean-basin-initiative-cbi>

52 <http://statinja.gov.jm/Trade-Econ%20Statistics/InternationalMerchandiseTrade/TradeRankine.aspx>

53 Statistical Institute of Jamaica, "International Merchandise Trade: January - December 2015," Statistical Bulletin 5, no. 12 (March 31, 2016).

have trade in services covered by the CBI, but that is a private-sector initiative, so we need the private sector to step up to the plate.”<sup>54</sup> Therefore, the CBI has been, and continues to be, an important initiative that has helped Jamaica expand its trade levels but Jamaica’s manufacturers and exporters can do more to take full advantage of all the opportunities that the CBI offers.

In terms of inclusiveness, Jamaica and the U.S. have cooperated in a number of programs. As noted in the previous section, Jamaica is heavily dependent on the services sector (in particular tourism) and this can have a crowding out effect on MSMEs. Therefore, attempts to diversify the economy have included exploring other areas that could potentially generate revenue for the country. One of the major complaints about doing business in Jamaica is the bureaucratic hurdles that entrepreneurs have to overcome in order to start and operate a business. Therefore, one of the programs that the U.S. has implemented in order to rectify this challenge is the USAID’s

Promote, Renew, Invigorate, Develop, Energize (PRIDE) program. This program aims to reform and enhance the local environment in which business is conducted which will attract both domestic and foreign investors. According to the World Bank’s Doing Business Index, Jamaica’s business environment has improved.

While there are certain areas in which the country can continue to improve, Jamaica moved up from a rank of 71 in 2015 to 64 in 2016 (out of a total of 189 countries). Table 3.1 depicts in detail Jamaica’s performance on this index. This improvement in the local business environment has caused an increase in foreign direct investment. Figure 3.6 shows Jamaica’s FDI inflows over a 10-year period. There was a precipitous drop in FDI from 2008 to 2011; however, investment has been steadily increasing since then. The USAID’s technical assistance in reforming the business environment has been a major contributing factor to this increase in investment.

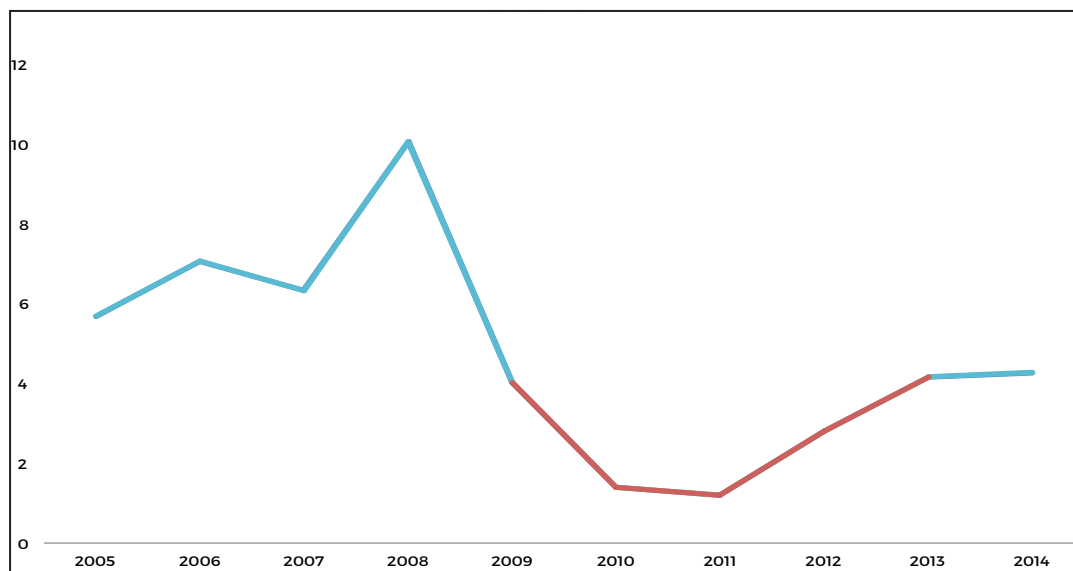
<b>TABLE 3.1: JAMAICA'S PERFORMANCE ON THE DOING BUSINESS INDEX, 2015 - 2016</b>			
<b>TOPICS</b>	<b>DB 2016 RANK</b>	<b>DB 2015 RANK</b>	<b>CHANGE IN RANK</b>
Starting a Business	9	17	+ 8
Dealing with Construction Permits	72	86	+ 14
Getting Electricity	80	67	-13
Registering Property	122	124	+ 2
Getting Credit	7	12	+ 5
Protecting Minority Investors	57	54	-3
Paying Taxes	146	152	+ 6
Trading Across Borders	146	145	-1
Enforcing Contracts	107	107	No change
Resolving Insolvency	35	60	+ 25

Source: Statistical Institute of Jamaica

54 “Jamaica Not Maximizing Caribbean Basin Initiative,” The Jamaica Gleaner, <http://jamaica-gleaner.com/article/lead-stories/20150418/jamaica-not-maximizing-caribbean-basin-initiative>.

**FIGURE 3.6:  
JAMAICA'S FDI  
NET INFLOWS AS A  
PERCENTAGE OF GDP,  
2005 – 2014**

Source: World Bank Indicators



There has also been substantial bilateral cooperation in terms of finding sustainable solutions for Jamaica's energy concerns. In 2015, the USAID launched the Caribbean Clean Energy Program (CARCEP), a 6-year program with an estimated investment of US\$15 million that will create an enabling environment for clean energy development. The overall aim of the program is to curb greenhouse gas emissions while simultaneously reducing the overall cost of energy in Jamaica.<sup>55</sup> There has also been considerable private foreign investment in Jamaica's renewable energy sector. Most recently, in 2015, the Overseas Private Investment Corporation (OPIC) funded two renewable energy projects: 1) a US\$43 million Wind Farm in Manchester<sup>56</sup> and 2) a US\$47 million solar facility in Clarendon.<sup>57</sup> The U.S. has expressed a keen interest in assisting the GoJ in pursuing cleaner forms of energy. In 2014, Vice President Joe Biden launched the Caribbean Energy Security Initiative, which commits the U.S. to partnering with several Caribbean countries by providing technical assistance and strategic planning in order to transform their energy sectors. The USAID has demonstrated a commitment to partnering with local stakeholders in order to implement the directives under this initiative.

## LIMITATIONS TO FURTHER BILATERAL COOPERATION

The limitations to further bilateral cooperation can be divided into internal and external challenges. The major internal challenge that may limit deeper bilateral cooperation is the

role of Jamaica's interest groups and trade unions. In particular, Jamaica's traditional export sectors such as agriculture are responsible for employing a broad segment of the population. While certain industries have been declining for years, such as the sugar industry, interest groups protect them despite the unsustainability of these industries. It is tempting to erect tariffs and non-tariff barriers to trade in order to protect these industries from external competition. And although the primary mechanism through which the U.S. has helped Jamaica to improve its trade is through unilateral initiatives, the protection of these struggling sectors might prove a hindrance to future free trade agreements in the larger global economic context.

The next possible impediment to trade may be created as a result of Jamaica's trade agreements with other regions such as with the European Union (EU). Jamaica signed a non-reciprocal trade agreement with the EU – the CARIFORUM-EU EPA agreement, in 2008, which in effect put an end to the Sugar Protocol (an agreement which guaranteed Jamaica a specific quota of sugar exports to the EU). The new arrangement now allows Jamaica to export all categories of goods (except sugar) and services duty-free to the EU bloc. Since the signing of this agreement, the U.S. administration has been monitoring the levels of Jamaica's trade with the EU in order to see if the EPA poses any threats to trade in goods with the U.S.<sup>58</sup> Despite the fact that the EU as a bloc is a larger market than the U.S., trade in 2012 with the EU (20.35 percent) was less than half than trade with the U.S. (47.88 percent).<sup>59</sup>

55 <https://www.usaid.gov/climate/clean-energy>

56 J.F. Hornbeck, "U.S. Trade Policy and the Caribbean: From Trade Preferences to Free Trade Agreements," CRS Report for Congress (2011).

57 Delegation of the European Union in Jamaica, "Bilateral Trade," [http://eeas.europa.eu/delegations/jamaica/eu\\_jamaica/trade\\_relation/bilateral\\_trade/index\\_en.htm](http://eeas.europa.eu/delegations/jamaica/eu_jamaica/trade_relation/bilateral_trade/index_en.htm).

58 "U.S. And Jamaica Partner on Renewable Energy," [http://kingston.usembassy.gov/pr\\_07132015.html](http://kingston.usembassy.gov/pr_07132015.html).

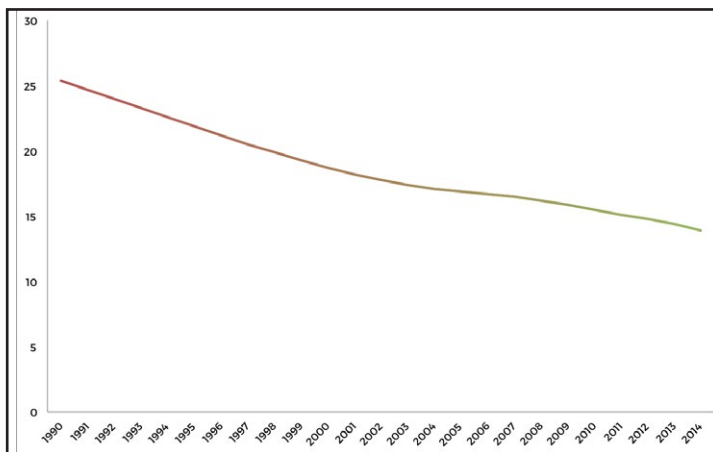
59 "Opic Supports 20 Mw J'can Solar Energy Facility," [http://kingston.usembassy.gov/pr\\_25062015.html](http://kingston.usembassy.gov/pr_25062015.html).



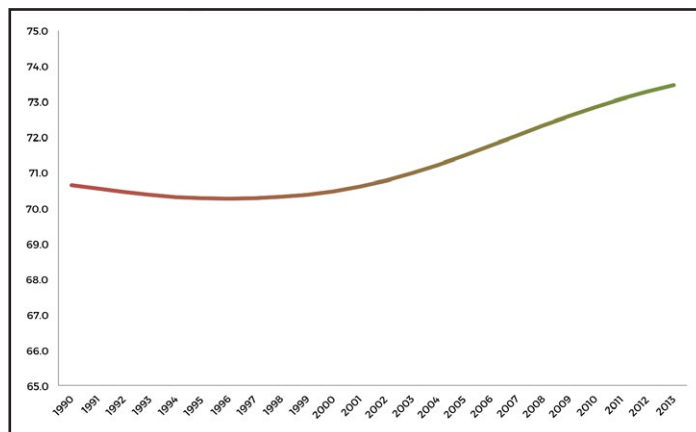
# IV. ENABLING HEALTH AND PROSPERITY

**FIGURES 4.1 - 4.4: JAMAICA'S PERFORMANCE ON KEY HEALTH INDICATORS**

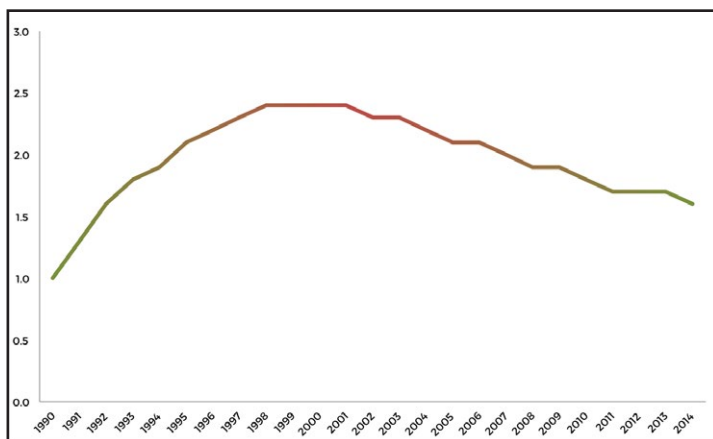
**INFANT MORTALITY RATE (PER 1,000 LIVE BIRTHS)**



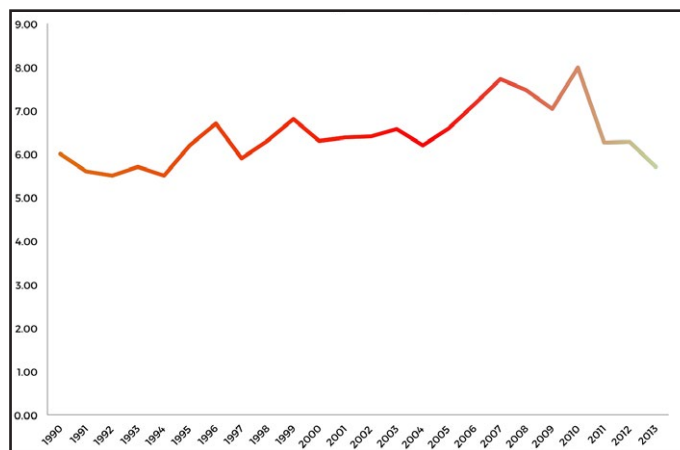
**LIFE EXPECTANCY AT BIRTH, TOTAL (YEARS), 1990 - 2013**



**PREVALENCE OF HIV IN JAMAICA, TOTAL (% OF POPULATION AGES 15-49), 1990 - 2014**



**CRUDE DEATH (PER 1,000 PEOPLE)**



Source: World Bank Indicators

## OVERVIEW OF THE INTERESTS

One of Jamaica's major health concerns is to reduce the prevalence of non-communicable diseases (NCDs). NCDs accounted for "approximately 68 percent of the mortality rate in 2008."<sup>60</sup> Admittedly, changing certain lifestyle habits can prevent most of these diseases. However, the Jamaican public health sector can be improved in many areas.<sup>61</sup> As such, the primary interest of Jamaica is to improve its overall performance in the provision of public health services. Although Jamaica performs very well on critical health indicators (see Figures 4.1 through 4.4), the public's perception of Jamaica's health care system has been less than stellar. In fact, with the recent crises in neonatal care at major hospitals,<sup>62</sup> the government has been hard-pressed to transform the public image of Jamaica's public healthcare sector from that of being defunct and inefficient to one that is capable, modernized and effective at providing basic healthcare services to all sectors of the population.

Since the implementation of the no-user-fee policy in 2008, there has been an overall lack of essential equipment and supplies in Jamaica's public hospitals. While the Golding administration in 2008 expressed that this move was an attempt to provide universal health care for Jamaican citizens, former Minister of Health, Horace Dalley, speaking at the Dialogues between Democracies: Health for Prosperity forum, noted that the removal of user fees (and the continuation of the policy) was "primarily a political move." Furthermore, while Jamaica has highly trained medical doctors and health care workers, the shortage of medical supplies have contributed to poor sanitation standards and an overall lackluster performance of the healthcare sector. Mr. Dalley commented "what is needed is a reenergizing of personnel and compassion in the health sector." Mr. Dalley further added that Jamaica also needs to improve its accountability and performance standards.

The increasing interconnectedness of states and the increased probability of the spread of epidemics such as the H1N1 virus have encouraged the U.S. to be even more active in assisting developing countries achieve their health goals.<sup>63</sup> In 2009, President Obama launched the Global Health Initiative (GHI), an aspect of a larger Global Development Agenda. The GHI is a \$63 million global development campaign that aims to improve the health systems of developing countries in the areas of nutrition, infectious diseases, maternal health, and other crucial areas. The program pays particular attention to women, newborns and children. The US has been interested in assisting Jamaica in achieving these goals.

## OVERVIEW OF THE RESPONSES

Jamaica and the U.S. have collaborated in many areas in order to improve health and prosperity in Jamaica. Many of these programs are not directly related to health but nonetheless play a role in improving the overall well-being of the population. Anthony Hron, USAID's Senior HIV/AIDS Technical Advisor, stated that the U.S. government provides assistance in many areas that are indirectly related to health but nevertheless are crucial in achieving health and prosperity for the nation; this assistance includes programs on citizen security, food security, the environment and education.<sup>64</sup> Furthermore, Mr. Hron adds that most of the collaborations on health between Jamaica and the U.S. are private such as those carried out under the auspices of the Lyons and Rotary Clubs.<sup>65</sup> The U.S. has also provided educational opportunities to Jamaican students through the Fulbright scholarship programme; this programme has afforded many students the opportunity to improve their education. Upon completion of the program, individuals are required to return to Jamaica and contribute to the workforce for a minimum of two years. Therefore, the U.S. contribution to this aspect of the Jamaican economy involves a multifaceted approach to health and prosperity.

Nevertheless, the US provides direct government-to-government assistance to Jamaica in critical areas such as HIV/AIDS. One of the most notable programs that the U.S. launched in 2003 was the Presidential Emergency Plan for Aids Relief (PEPFAR). Mr. Hron highlights that Jamaica receives the largest proportion of PEPFAR's budget out of the 11 English-speaking Caribbean countries included in its regional assistance program. In addition to this, in 2015, the U.S. has also provided assistance to Jamaica in terms of providing several hundred surgeries and other medical services via the U.S. Naval Ship (USNS) Comfort.

## LIMITATIONS TO FURTHER BILATERAL COOPERATION

In order to strengthen bilateral cooperation on health issues, Jamaica first needs to transform its approach to healthcare. The common view about the performance of Jamaica's healthcare sector is that it is constrained by the lack of sufficient resources. However, former public health administrator in the Ministry of Health, Dr. Jeremy Knight, notes that lack of resources is

60 "Non-Communicable Diseases in Jamaica," [http://www.commonwealthhealth.org/americas/jamaica/non\\_communicable\\_diseases\\_in\\_jamaica/](http://www.commonwealthhealth.org/americas/jamaica/non_communicable_diseases_in_jamaica/).

61 "Bilateral Trade".

62 "Non-Communicable Diseases in Jamaica".

63 Shane Alexis, "Fixing Health: Restructuring Jamaica's Health Sector for 2016," (2015), <http://jamaica-gleaner.com/article/health/20151125/fixing-health-restructuring-jamaicas-health-sector-2016>.

64 Balford Henry, "19th Baby Dies," The Jamaica Observer (Wednesday, October 28, 2015), <http://www.jamaicaobserver.com/news/19th-baby-Dies>.

65 Institute of Medicine Committee on the US Commitment to Global Health, The Us Commitment to Global Health: Recommendations for the Public and Private Sectors (National Academies Press (US), 2009).



not the only aspect that limits the potential of the Jamaican healthcare sector.<sup>66</sup> Dr. Knight, speaking at the Dialogues between Democracies: Health and Prosperity forum, noted that accountability is also a limiting factor.<sup>67</sup> He also comments that it is important to provide a sustainable model of healthcare financing that the government is reasonably able to provide to the population and be held accountable to that.<sup>68</sup> This increased level of transparency and accountability is important because citizens will be better able to manage their expectations if they are aware of not only the range of services that the government is able to provide but also its limitations. Furthermore, Dr. Knight points out that primary care renewal is of critical importance. The public tends to talk about hospital care primarily when discussing the provision of public goods, however Dr. Knight notes that it is easier to take a bottom up approach.<sup>69</sup> Therefore, one of the ways Jamaica can improve its overall health care sector is by improving the services of primary care facilities. This would alleviate some of the burden placed on the public hospitals for less urgent procedures.

Another area that has to be improved in order to take full advantage of the bilateral partnership is the prevention of non-communicable diseases. While the country has made remarkable progress in terms of controlling communicable and vaccine-preventable diseases, the rise of non-communicable diseases poses a major threat to the health of the country's population. Dr Peter Figueroa, Professor of Public Health, Epidemiology and HIV/AIDS at the University of the West Indies reports that "in 1945 the seven leading

causes of death in Jamaica were from infectious diseases." In contrast, the major causes of death are now: cardiovascular illnesses, cancer, chronic respiratory illness and diabetes - all non-communicable diseases. There are two distinctive differences between the infectious diseases of 1945 and those of today - 1) the diseases today are predominantly based on lifestyle choice and for the most part are preventable, and 2) whereas, the diseases of 1945 placed most of the burden on the government in rectifying the conditions in which the diseases exist, now, the majority of the responsibility is placed (or should be placed) primarily on the citizen.

The majority of the Jamaican population is now sedentary, especially in the highly urbanized areas such as Kingston and St. Andrew. The rise in the country's services sector is the primary cause of the increase in sedentarism. The services sector accounts for approximately 60 percent of Jamaica's GDP, where the majority of persons work in jobs that require sitting down all day. This rise in services came about as the result of the decline in Jamaica's agricultural industries, in particular, the decline in the banana and sugar industries. As the country suffered from market volatility, competition, and other factors, the nature of work gradually transformed from an agricultural predominant society to a service-driven one.

This shift in work to a services-driven industry has a direct correlation with the increase in obesity rates. 24 percent of adults in Jamaica are obese.<sup>70</sup> According to the World Health Organization (WHO), obesity is defined as having a body mass index (BMI) greater than or equal to 30. Persons that fall into this

66 "Health for Prosperity - Assessment and Opportunities," in Dialogue between Democracies (Kingston, Jamaica: CaPRI, December 8, 2015).

67 Ibid.

68 Ibid.

69 Ibid.

70 World Health Organization, Global Status Report on Non-Communicable Diseases (Geneva, Switzerland: World Health Organization, 2014).



category are at increased risk of contracting cardiorespiratory illnesses, diabetes, and other chronic conditions. However, it is important to note that an individual does not have to be obese in order to be exposed to these risks; individuals who are merely “overweight”, that is having a BMI of 25 or greater, are also exposed to the risks of developing chronic conditions. Just over half the population falls into the overweight category (57 percent).<sup>71</sup> Arguably, individuals in this category are at just as much risk of contracting these illnesses than individuals who are classified as obese. Culturally, individuals who are slightly to moderately overweight are viewed as “healthy and strong” or “fluffy”; this general attitude tends to breed complacency and so the urgency of addressing the excess body fat is tempered by cultural norms of acceptance.<sup>72</sup>

Dr. Kevin Harvey, former permanent secretary of the Ministry of Health, reports that “non-communicable diseases account for 70 percent of deaths nationwide.”<sup>73</sup> Furthermore, chronic illnesses caused by obesity create both direct and indirect costs to employers and the state. Several studies have shown the direct link between rising obesity rates and an increase in the direct costs of health care in the U.S. One report shows that “the average cost per overweight person in 2008 was US\$266, while the average health care cost per obese person was

US\$1723. The total cost for overweight and obesity-related illnesses in 2008 was US\$113.9 billion.” Other studies have also shown the link between obesity and indirect costs. Trogdon and colleagues show that obese workers miss more work days due to illness, injury and/or disability than non-obese workers.<sup>75</sup> While these figures are applicable to a country with a significantly larger population, the overweight and obesity epidemic in Jamaica is not much better. In a multiple regression study where population samples were taken from Nigeria (n = 1,242), Jamaica (n = 1,409), and the US (n = 809) during the period 1995–1999 in adults over the age of 19, Durazo and colleagues found that: “adjusted weight gain in Nigeria, Jamaica and US was 0.31(0.05), 1.37(.04), and 0.52(0.05) kg/year respectively.”<sup>76</sup> They attributed Jamaica’s relatively higher weight gain to shifts in cultural and behavioral lifestyles.<sup>77</sup>

Dr. Shane Alexis adds “diseases such as hypertension and diabetes affect 70% of the population, most of whom are among the poorest of society. What do they eat? flour, sugar, and oil.”<sup>78</sup> It is important that the Ministry of Health pay close attention to the prevalence and prevention of NCDs; but it is also equally important that citizens take individual responsibility for their lifestyle choices.



71 Ibid.

72 Anastasia Cunningham, “Too Much Fluffy Is Dangerous for Your Health - High Percentage of Jamaican Women Overweight,” <http://jamaica-gleaner.com/gleaner/20140402/health/health1.html>.

73 Ibid.

74 Adam Gildea Tsai, David F. Williamson, and Henry A. Glick, “Direct Medical Cost of Overweight and Obesity in the United States: A Quantitative Systematic Review,” *Obesity reviews: an official journal of the International Association for the Study of Obesity* 12, no. 1 (2011).

75 J. G. Trogdon et al., “Indirect Costs of Obesity: A Review of the Current Literature,” *Obesity Reviews* 9, no. 5 (2008).

76 Ramón A. Durazo-Arvizu et al., “Rapid Increases in Obesity in Jamaica, Compared to Nigeria and the United States,” *BMC Public Health* 8, no. 1 (2008).

77 “Health for Prosperity - Assessment and Opportunities.”

78 The Disabilities Act, 13-2014.



# V. ENDORSING FULL AND EQUAL CITIZENSHIP

## OVERVIEW OF THE INTERESTS

Providing full and equal rights for all citizens is on the forefront of the agendas for both the U.S. and Jamaica. Both countries have worked fervently bilaterally and independently within their respective countries in order to promote equal access to critical services and opportunities such as health, education, employment, housing, and welfare.

Jamaica in particular has made steady progress towards the promotion of disability rights and gender equity. On October 10, 2014, the Senate passed the Disabilities Act. The primary aims of this bill include: “to promote, protect and ensure the full and equal enjoyment of persons with disabilities, of privileges, interests, benefits and treatment, on equal basis with others and to establish the Jamaica Council for Persons with Disabilities.”<sup>79</sup> Senator Frazer-Binns commented that one of the goals of this bill is to ensure that all persons with disabilities are afforded sufficient health care because that has been a continuous challenge for this minority.<sup>80</sup> Former Minister of Labour and Social Security, Derrick Kellier, ensured the GoJ’s full support of this bill in expressing that: “The new Disabilities Act 2014 covers the integration and inclusion of persons with disabilities in all areas of national life including education, employment, health, housing, transportation and much more...”<sup>81</sup> Therefore, the passage of this bill demonstrates Jamaica’s commitment to the inclusion of an often overlooked yet equally important sector of society.

The GoJ has also made progress in regards to gender equality. In 2011, the Bureau of Women’s Affairs in association with the Gender Advisory Committee published the National Policy

on Gender Equality (NPGE). The primary focus of the NPGE is to ensure that “equal access to opportunities, resources, and rewards towards promoting sustainable human and national development are afforded to both men and women.”<sup>82</sup> As such, the NPGE will consider and amend (if necessary) key pieces of legislation in order to wholly afford equality regardless of one’s gender; these include: “Employment (Equal Pay for Men and Women) Act, Fundamental Rights (Additional Provisions) (Interim) Act, Housing Act, Human Employment and Resource Training Act, Jamaica Social Welfare Commission Act, Labour Relations and Industrial Disputes Act, Land Development and Utilization Act, Maintenance Act, Marriage Act, Married Women’s Property Act, Maternity Leave Act, Matrimonial Causes Act, Pensions Act, Poor Relief Act, Representation of the People Act, Registration (of Births and Deaths) Act, Status of Children Act, and the Women (Employment of) Act.”<sup>83</sup> The NPGE highlights the substantial progress that Jamaica has made towards gender equality and the GoJ’s commitment to the social and economic inclusion of women.

On the third major matter of social inclusion, the rights of the Lesbian, Gay, Bisexual, Transgendered and Intersex (LGBTI) community, Jamaica has made some progress but could aim to incorporate this group more substantially into the society. On this matter, Jamaica and the U.S. interests may be incongruent.

In 2011, President Obama made it clear in a memorandum to the heads of executive departments and agencies that the United States is taking a stand against violence and discrimination towards all LGBTI individuals.<sup>84</sup> In addition to this, the U.S. signaled to the international community its commitment towards improving the human rights of the LGBTI community with the U.S. Supreme Court judgment granting

79 Latonya Linton, “Senate Passes Disabilities Act,” Jamaica Information Service (2014), <http://jis.gov.jm/senate-passes-disabilities-act/>.

80 Marlon Tingling, “Gov’t Will Ensure Full Implementation of Disabilities Act,” *ibid.* (2015), <http://jis.gov.jm/govt-will-ensure-full-implementation-of-disabilities-act/>.

81 The Bureau of Women’s Affairs and The Gender Advisory Committee, National Policy for Gender Equality (Kingston, Jamaica: Bureau of Women’s Affairs, March 2011).

82 *Ibid.*

83 President Barack Obama, “Presidential Memorandum – International Initiatives to Advance the Human Rights of Lesbian, Gay, Bisexual, and Transgender Persons,” MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES (2011), <https://www.whitehouse.gov/the-press-office/2011/12/06/presidential-memorandum-international-initiatives-advance-human-rights-l>.

84 John Kerry, “Special Envoy for the Human Rights of LGBT Persons,” news release, February 23, 2015.

homosexuals the legal right to marriage in all 50 U.S. states. Secretary of State, John Kerry adds that defending the rights of LGBTI individuals is a central aspect of US foreign policy. In a 2015 press release, Kerry stated that:

“Defending and promoting the human rights of LGBT persons is at the core of our commitment to advancing human rights globally – the heart and conscience of our diplomacy. That’s why we’re working to overturn laws that criminalize consensual same-sex conduct in countries around the world.”<sup>85</sup>

While Jamaica has recognized and worked towards the protection of mainstream civil liberties and freedoms, the country still faces considerable challenges in recognizing and protecting the rights of the LGBTI community. The upholding of human and civil rights of the LGBTI community has been and continues to be a challenge in Jamaica. The majority of Jamaica’s population has a firmly entrenched moral and cultural perspective on what a family should look like and how an individual should view and express his/her sexual identity. This is intertwined with the country’s religious beliefs. The country has more churches per square mile than any other state in the world (except the Vatican City<sup>86</sup>). Because of these factors, policymakers have faced significant backlash from the public regarding the repeal of Jamaica’s archaic anti-sodomy laws.

This opposition to homosexuality is not specific to Jamaica however. In fact, it should be noted that most developing countries have a history of entrenched religious and cultural beliefs that opposes homosexual conduct. A report by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) shows that approximately seventy-five (75) states have anti-LGBTI laws and/or stipulations against homosexual acts, most of which are developing countries.<sup>87</sup>

As one would expect, Jamaica has faced opprobrium from the international community, in particular from civil society organizations. In a 2012 report from the Inter-American Commission on Human Rights (IACHR), it was observed that:

“discrimination based on sexual orientation, gender identity, and gender expression is widespread throughout Jamaica, and that discrimination against those in the lesbian, gay, bisexual, trans, and intersex (LGBTI)

communities is entrenched in Jamaican State institutions. Those who are not heterosexual or cisgender face political and legal stigmatization, police violence, an inability to access the justice system, as well as intimidation, violence, and pressure in their homes and communities.”<sup>88</sup>

Despite the IACHR’s findings, the GoJ maintains that any individual who feels his/her rights have been discriminated against has the right to seek legal recourse. Unfortunately, the de facto civil and legal treatment of individuals in the LGBT community is mostly dismissive because of entrenched cultural and religious beliefs, which are given credibility because of the country’s constitutional laws regarding homosexual conduct. For example, according to a Human Rights First report, in 2009 a prominent LGBTI activist, Angelique Jackson, was sexually assaulted; Ms. Jackson expressed that the female police officer that recorded her police statement commented, “she should leave this lifestyle and go back to church.”<sup>89</sup> This is just one of several examples of the anti-LGBT attitudes that many members of Jamaica’s criminal justice and legal systems have towards homosexuals and transgendered individuals thereby making it difficult for victims to report incidents of discrimination and/or violence.

## OVERVIEW OF THE RESPONSES

Despite the fact that in 2011, Jamaica’s Prime Minister, Portia Simpson-Miller, stated that she would take the buggery law into serious consideration if re-elected, no serious attempt has been made by the Jamaican government to repeal this legislation. In fact, the GoJ has rejected recommendations from some United Nations members regarding repealing the law; one of the specific recommendations from the United States included: “that Jamaica repeal sections 76, 77, and 79 of the Offences Against the Person Act, which criminalise same-sex male intercourse.”<sup>90</sup>

On the other hand, while the GoJ has been recalcitrant in repealing the buggery law, it has taken actions to protect the rights of homosexuals. For example, in 2012, the Jamaica Constabulary Force enacted a policy on diversity.<sup>91</sup> The U.S. assisted Jamaica in realizing this policy by providing diversity training workshops to police officers under the USAID’s Community Empowerment and Transformation Project

85 Tamara Scott-Williams, “Time for Church,” *The Jamaica Observer* Sunday, January 30, 2011.

86 Aengus Carroll and Lucas Paoli Itaborahy, *State-Sponsored Homophobia: A World Survey of Laws: Criminalisation, Protection and Recognition of Same-Sex Love* (Geneva: ILGA, May 2015).

87 Inter-American Commission on Human Rights and Organization of American States, *Report on the Situation of Human Rights in Jamaica* (Washington D.C.: Organization of American States, August 2012).

88 Human Rights First, “The World as It Should Be”: *Advancing the Human Rights of Lgbt People in Jamaica* (New York, NY: Human Rights First, July 2015).

89 “Ja Pressed on Gay Rights, Same Sex Marriage,” (May 23, 2015), <http://jamaica-gleaner.com/article/lead-stories/20150523/ja-pressed-gay-rights-same-sex-marriage>.

90 “Police Sharpen to Work with Vulnerable Groups,” *The Jamaica Observer*, [http://www.jamaicaobserver.com/regional/Police-sharpen-to-work-with-vulnerable-groups\\_19152208](http://www.jamaicaobserver.com/regional/Police-sharpen-to-work-with-vulnerable-groups_19152208).

91 Denise Dennis, “Cops Urged to Use Diversity Training to Make a Difference,” <http://jis.gov.jm/cops-urged-to-use-diversity-training-to-make-a-difference/>.

(COMET II) program.<sup>92</sup> While this training program focused on sensitizing members of the JCF to the needs of all vulnerable groups including women, children, and disabled individuals, the workshops also focused on enhancing citizen security of the LGBTI community.<sup>93</sup>

The USAID has also provided 4-year support for the University of Technology's (UTECH) Cares project "Fi Wi Jamaica" by providing a US\$2.4 million financial assistance package. The underpinnings of this project were in response to the beating of two purported homosexual individuals in a bathroom on UTECH's campus.<sup>94</sup> Therefore, the focus of this project is to raise awareness on issues related to diversity, equality, and social inclusion. Particular emphasis is being placed on protecting victims or potential victims regardless of gender and/or sexual orientation.

Another way in which the U.S. and Jamaica have cooperated on the issue of equal citizenship for members of the LGBTI community is through U.S. NGO support of key local civil society organizations such as the Jamaica Forum for Lesbians, All-Sexuals and Gays (JFLAG). U.S. Organizations such as Freedom House, AmFar, and the Open Society Foundation have provided financial resources, which JFLAG has used to spread awareness on LGBTI issues, provide crisis intervention measures, counsel LGBTI individuals and their families and other activities that contribute to the overall development of a safer and more inclusive environment for members of the LGBTI community.<sup>95</sup>

Furthermore, in 2015, Randy Berry, Special Envoy for the Human Rights of LGBTI persons, and Todd Larson, Senior

LGBT coordinator for the USAID, visited Jamaica in order to facilitate discussions with GoJ policymakers, civil society groups and other stakeholders on how to develop a human rights framework that includes all segments of the Jamaican population. Berry and Larson stated that their objective is not to infringe on the sovereignty of Jamaica but instead to represent the U.S. interests in regards to this issue area and facilitate meaningful dialogue.<sup>96</sup>

## LIMITATIONS TO FURTHER BILATERAL COOPERATION

One of the impediments to further bilateral cooperation on this issue is the notion that the majority of the Jamaican public has that the U.S. is wielding its political and economic influence in order to encroach on Jamaica's sovereignty. Some individuals perceive the U.S. attempts to facilitate dialogue with Jamaican policymakers and civil society as a form of cultural imperialism.<sup>97</sup> Some groups such as the Jamaica Coalition for a Healthy Society accuse the U.S. of "Exporting Buggery and Sexual Confusion" as a part of their foreign policy.<sup>98</sup> In a climate such as this, it might prove challenging to deepen cooperation on such an emotive and culturally sensitive issue.

In addition to this, the GoJ's unwillingness to decriminalize buggery poses a challenge to any meaningful bilateral cooperation. Surely, cooperation and assistance can be afforded to civil society groups, but as long as the legislation on morality is retained, affording social inclusion to all sectors of society is impaired. This legislative challenge impedes extensive bilateral cooperation on this issue.

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92 Ibid.

93 "Utech Project Not About Gay Agenda," (October 8, 2015), <http://jamaica-gleaner.com/article/lead-stories/20151008/utech-project-not-about-gay-agenda>.

94 Ibid.

95 "Jamaica Forum for Lesbians, All-Sexuals and Gays (Jflag)," <http://jflag.org/>.

96 Vernon Davidson, "We Came to Listen and Talk, Not to Judge," (May 27, 2015), [http://www.jamaicaobserver.com/news/-We-came-to-listen-and-talk-not-to-judge-\\_19019331](http://www.jamaicaobserver.com/news/-We-came-to-listen-and-talk-not-to-judge-_19019331).

97 "Utech Project Not About Gay Agenda".

98 Ibid.

99 Insulza, *The Drug Problem in the Americas: The Economics of Drug Trafficking*.



## VI: STRENGTHENING THE PARTNERSHIP

As illustrated throughout this report, the U.S. and Jamaica share a high level of interconnectedness. Maintaining amicable and mutually beneficial bilateral relations with the U.S. has been an integral aspect of Jamaica's foreign policy. Going forward, it is important that both actors are aware of the significance of this relationship and the respective interests of each country. Recognizing the salience and the urgency of the five issue-areas discussed in this report is critical for strengthening relations. As such, improvement in these areas can be categorized under five broad themes: 1) increasing interagency information sharing, 2) building technical capacity, 3) expanding trade levels, 4) increasing development assistance and 5) sharing a mutual understanding of each other's values and interests.

First, in the area of security, the sharing of interagency information is a key element that is in the interest of both partners and should continue as outlined under the Mutual

Legal Assistance Treaty. This is particularly important since the security challenges we face are transnational. Narcotics trafficking and lottery scamming are crimes that transcend our national borders. Therefore, it is critical that law enforcement agencies continue to communicate with each other. The U.S. and Jamaica have done an exceptional job in the past by engaging in cross-border communication as demonstrated by the 2010 extradition and prosecution of Christopher "Dudus" Coke. It is important that both countries continue on this path of communication and cooperation in order to apprehend transnational criminals and enhance security.

Second, as Jamaica continues to improve its democratic governance, it is recommended that the U.S. and Jamaica continue to engage in programs that build technical capacity. Jamaica's security and democratic governance challenges are closely intertwined. And one of the ways in which both



countries have worked together to overcome these challenges is by improving technical capacity. This is evident by the anti-corruption workshops that the NIA conducted under the patronage of the USAID. Furthermore, programs such as COMET encourage community building with law enforcement agencies therefore building public trust. Lack of public trust in law enforcement agencies has contributed to the public's general unwillingness to report corrupt practices. This has been a limiting factor to anti-corruption efforts. The COMET program has also played a major part in supporting MOCA anti-corruption efforts.<sup>100</sup> The continuation of bilateral programs that empower law enforcement agencies and individuals with relevant technical knowledge, skills, and capacity would help to improve Jamaica's democratic institutions.

Third, greater efforts need to be made in expanding trade. With the understanding that the level of exports and imports tend to move together, Jamaica needs to make a conscious effort to reduce its tariffs and other barriers to trade, which would allow greater access to local markets for U.S. exporters. Likewise, it is important that local producers and manufacturers take advantage of existing trade agreements with the U.S. and increase the level of exports. As expressed in the Trade and

Investment section of this report, evidence has shown that both countries are in support of a liberal global trade regime; therefore, it is in both Jamaica's and the U.S. best interests to support policies that facilitate freer flow of goods and services between each other.

Yet another way in which bilateral cooperation can be strengthened is in the area of development assistance. A part of U.S. foreign policy is the advancement of sustainable economic development in its trading partners. Although development assistance is not a panacea for economic growth, increased development assistance in primary care facilities in Jamaica's public health care network would help both countries in their mutual goals to facilitate economic development in Jamaica. As discussed in the Health and Prosperity section, one of Jamaica's biggest challenges to health presently is the rise in non-communicable diseases, and one of the ways in which we can mitigate this challenge is by improving the care offered at community clinics. The U.S. has extensively cooperated with Jamaica on a number of health programs such as the PEPFAR and also through private partnerships. Therefore, continued development assistance in this area would strengthen the existing relations between both countries.

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100 United States Department of State, "International Narcotics Control Strategy Report."



Finally, both parties should strive for a deeper mutual understanding of each country's interests and values. Especially when it comes to culturally sensitive topics such as the rights of the LGBTI community, Jamaica and the U.S. relations could be improved by engaging in more open dialogue of what is expected of either party. Endorsing full and equal citizenship for all individuals is of paramount importance to both countries, and this has been demonstrated by the progressive inclusion of rights for the disabled, women,

children and other vulnerable groups. However, as history has shown, the protection of rights for marginal, neglected or vulnerable groups is a gradual and sometimes, onerous process. However, the provision of rights to all individuals is a mutual goal for both countries. Therefore, it is important that Jamaica and the U.S. continue transparent discussion about the most feasible path to full equality for all citizens and mitigate any public perception that this dialogue may encroach on state sovereignty.



## CONCLUSION

Elusive as it has been for most of Jamaica's post-independence history, sustainable economic development is in the interest of all Jamaicans and is now an explicit objective of the current administration. The U.S. has facilitated the attainment of this goal for several decades through a number of foreign assistance programs, unilateral initiatives and interagency cooperation. Inarguably, the U.S. and Jamaica have enjoyed strong bilateral relations towards common objectives.

Both countries have demonstrated their willingness to coordinate and/or cooperate in a number of areas. Presently, the most crucial issues can be organized along the following objectives: 1) enhancing security, 2) emboldening democratic governance, 3) enabling Jamaican health and prosperity, 4) increasing trade and investment and 5) endorsing the concept of full and equal citizenship.

The U.S. has been instrumental in assisting the Government of Jamaica (GoJ) in order to overcome crucial challenges in these

areas. However, in order for the GoJ to take full advantage of this bilateral relationship, it is critical that changes are made at the domestic policy level. A mutual understanding of interests is required, and coordinated responses in issue-areas should be actualized in order to achieve tangible benefits and results while any limitations to further cooperation should be recognized and confronted.

This report has pointed in some potentially fruitful directions towards continuing the dialogue on how to deepen U.S.–Jamaica bilateral relations. These responsibilities should not be left solely on each government alone, but should include a wide cross-section of the Jamaican society: civil society organizations, the private sector, and individuals. In doing so, the U.S. and Jamaica can maximize the full potential of its long-standing, culturally vibrant, and empowering bilateral relationship.



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