GLOBAL INFORMATION SOCIETY WATCH 2009

Focus on access to online information and knowledge
– advancing human rights and democracy

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JAMAICA

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Introduction

Jamaica is among the countries regarded as being the more advanced in terms of their policy and legislative frameworks for accessing information. The country enjoys a free media and constitutional protection of freedom of expression. There is an operating Access to Information Act (2002), and electronic communications tools such as mobile phones have helped to make basic voice communication a reality for a wide cross-section of Jamaicans. However, effective access to online information for Jamaicans remains a major challenge. There is still a relatively low level of broadband access for the majority of citizens and over 70% of households still do not have access to a computer.[1] These factors are serious constraints on the government's move to improve democracy through e-government programmes. In this country report, we define e-government as "the use of the internet and internet-based technologies for seamless transactions online between government agencies, citizens, business and other government agencies."[2] It is argued that e-government programmes can spur demand for information and communication technologies (ICTs) and internet access among Jamaicans from all socioeconomic backgrounds.

Key access statistics

Jamaica enjoys multi-modal connectivity to the internet. A submarine cable, owned by Cable and Wireless, links the region to North America through the Montego Bay Freeport in western Jamaica. Another network called Fibralink (owned by Columbus Communications) connects the Americas Region Caribbean Optical Ring System (ARCOS) system, based in the Dominican Republic, to three landing points in Jamaica. In addition, the Trans Caribbean Cable Network 1 (TCCN1), a submarine cable established by Trans Caribbean Cable Company (TCCC), links the Caribbean region to the United States, Mexico and South America.[3]

In terms of wireless connectivity, mobile telephony service providers currently offer mobile WiMAX services, but mostly to high-end clientele in the main urban areas of Kingston and St. Andrew. In the case of household broadband penetration across all socioeconomic groupings, levels are dismally low at approximately 13%.[4] As fixed lines are the primary means for household internet connectivity, a

fixed-line teledensity of 14.3%[5] foreshadows the relatively low wired internet uptake. Slow take-up of the internet could also be attributed to the fact that most Jamaicans are lacking affordable hardware for internet connectivity, with a national stock of only 6.7 computer units per 100 people in 2006.[6] While there is potential for expanding access via mobile broadband, and through the new triple-play communications provider Flow, widespread, effective access will remain elusive without adequate public policy planning provisions and resource allocation.

The limited access to ICT hardware in Jamaica is likely to be further compounded by the reintroduction of a general consumption tax (GCT) on all purchases of computers effective 1 April 2009.

Policy environment supporting online access

Jamaica has a fairly advanced ICT policy environment, which has matured since the liberalisation of the telecommunications sector in 2001. The main policies guaranteeing access to government information using the internet and other means are:

National Information and Communications Technology (NICT) Strategy

The National Information and Communications Technology Strategy is the main policy document underpinning Jamaica's ICT sector development. E-government, which is a critical dimension of the strategy, is identified as having the potential to help advance Jamaica's social and economic development by simplifying government processes. The plan envisages this through systematic growth in ICT applications and by making information more widely available to Jamaicans through innovative and easily accessible online information systems. Other relevant aspects of the NICT Strategy crucial to the e-government dimension include the need for low-cost computers to encourage e-inclusion; the expansion of information literacy, education and training; and fostering e-business through training and reform of conventional industry approaches.

Internet treaties and intellectual property

Jamaica has signalled its commitment to adopting the internet as a key component of business and social life through its accession to the World Intellectual Property Organization (WIPO) Internet Treaties in 2002. This move was aimed at stimulating demand for products and services by limiting

1   Dunn, H. (2007) *Mobile Opportunities: Poverty and Telephony Access in Latin America and the Caribbean: Jamaica Country Report*, TPM/DIRSI. www.dirsi. net/en/node/105

2   E-Jamaica (2009) Local and Global Trends in E-Government. www.e-jamaica. gov.jm/about/trends.htm

3   Gordon, V. (2007) Jamaica Connectivity Report. cms.ict4djamaica.org

4   www.budde.com.au

5   Ibid.

6   World Bank (2006) ICT at a Glance: Jamaica. devdata.worldbank.org/ict/ jam_ict.pdf

barriers to trade in cyberspace and providing legal protection and recourse for those who ply their trade in intellectual property online.

Telecommunications Policy

The Jamaican government's Telecommunications Policy (2009) seeks to build on the pervasiveness of mobile communications devices as gateways to promoting wider access to and use of the internet. Internet access and telecommunications policies are interlinked in a strategy to move from mainly mobile voice to a digital broadband network capable of accommodating expanded e-government traffic, data network activities and increased video content in line with the demands of converged next-generation networks, Web 2.0 and beyond.

Legislative environment

In Jamaica, there are two main laws underpinning access to online information and access to ICTs in general. These are the Access to Information Act 2000 and the Electronic Transactions Act 2007.

Access to Information Act 2000

The Access to Information Act guarantees every Jamaican the right to access specific government information through both electronic and non-electronic means. Part II of the Act, termed "Right to Access", makes it clear that electronic means of accessing information from the government – including the internet – should be an option available to all citizens. While the Act makes certain exceptions for national security and other sensitive information, it has proved to be useful in exposing government excesses and in increasing vigilance and accountability. One major national newspaper regularly publishes information gleaned from government agencies under the Access to Information Act. While the stated intention of the government is to abolish the age-old Official Secrets Act, this remains on the books as an apparent safeguard against a new brigade of campaigners for even more freedom of information.

Electronic Transactions Act 2007

This is an important piece of legislation, which supports Jamaica's e-transactions policy, and is meant to stimulate greater business confidence and demand for online services. However, detailed regulations and intensive public information campaigns relating to the Act and its provisions still remain absent or inadequate.

Jamaica's e-government framework: Advancing democracy through access to public information online

In Jamaica, the process of citizen access to online government services through digital means is at an embryonic stage. Most of the information about services offered by the government is still in an analogue state, requiring physical searches and in-person presence for successful transactions.

There are some notable exceptions. The government maintains a strong central website operated by the Jamaica Information Service (JIS),[7] and many departments, such as the Broadcasting Commission, the Office of Utilities Regulation and the Customs Department also operate interactive website services. For several years now, citizens have been able to obtain their birth certificates, marriage certificates and other personal records at a faster rate through an online applications system. However, payment and collection of the items ordered often involve attendance at the office and queuing for long periods. Some forms and tax services records are available online but the process is still experimental and underdeveloped.

Various rating organisations have revised downwards the scores for Jamaica's e-readiness and e-government frameworks. The United Nations E-Government Report 2005 noted that Jamaica led the Caribbean region with a 0.5064 score on its index, followed by Barbados with 0.4920, Trinidad and Tobago with 0.4768 and the Bahamas with 0.4676. The Jamaican government's information gateway site (JIS, mentioned above) was especially praised in the report for its well-organised information on all facets of government activity. However, the 2008 E-Government Report indicated a major drop in Jamaica's ranking from 59th in 2005 to 85th in 2008. Barbados now leads the region, followed by Trinidad and Tobago, the Dominican Republic and the Bahamas completing the top four in the Caribbean region.

Reviving the momentum and establishing an effective e-government framework in Jamaica is inextricably linked to increasing physical access to internet connectivity, especially by the lower socioeconomic strata. The government needs to re-energise its will and strategies to develop the sector and to create the vision to steer its expansion in ways that can encourage democracy. To accomplish this goal Jamaica must immediately address its bureaucratic and fragmented ICT regulatory regime, improve multi-sectoral coordination among relevant public sector agencies and expand incentives for ICT training and service provision among citizens.

There are a number of ways in which access to online government information for citizens needs to be improved:

Updating outmoded regulatory laws and systems

As an example of the need for policy and legislative reform, the transitional Telecommunications Act 2000 and the Broadcasting and Radio Rediffusion Act 1949, even as amended, have outlived their usefulness and should be replaced. The existing telecoms act, for example, does not speak to data services and does not stipulate any minimum standards for internet services to households by ICT services providers. These laws must be amended to mandate ICT services providers to offer reasonable and reliable access to ICT data services across the island. By making basic internet facilities

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7   www.jis.gov.jm

available to households of all socioeconomic backgrounds, an increase in demand for more e-government services could be expected. Overall entrepreneurial and educational activities will also increase as people consume relevant information over the internet.

A related idea is that Jamaica needs new legislation to protect and improve data security, as well as to guard against unauthorised interception of electronic communications and to prohibit computer misuse.

Improving policy coordination in e-government initiatives

At the level of information, technical expertise and maybe financial resources, there could be more coordination between present e-government initiatives in Jamaica. While JIS operates an effective internet portal through which citizens can access information on government services, programmes and activities, another portal, e-Jamaica,[8] sponsored through a partnership between the Government of Jamaica and the Inter-American Development Bank (IDB), is meant to be the main e-government internet access point. However, the e-Jamaica website contains mainly dated information and information of a limited range. The JIS seems better resourced and consistently displays up-to-date online information.

While a dynamic society such as Jamaica need not rely on a single source of government information, care has to be exercised to rationalise limited government resources to the best possible effects. Since the JIS is an executive agency of the government, it may be the best entity to help facilitate and coordinate such e-government initiatives. An optimal strategy could well be to create more synergy between the e-government project and the JIS in terms of knowledge and the sharing of technical expertise. Outright integration or at least better role coordination between the two would help ensure that Jamaicans can gain greater access to government information online in a seamless and coordinated manner.

Improving capacity-building initiatives

An educated population provides the best opportunity for e-government. In Jamaica, illiteracy levels of about 20% and information illiteracy handicap the uptake of e-services. Building the capacity of citizens to use ICTs and manage information is an important dimension of strategies aimed at promoting democracy and human rights and at radiating the benefits of online information services to all citizens. The Jamaican government initiated an e-learning programme in 2006 to help students gain better passes in their end-of-high-school and university qualifying exams. This project is funded from the financial resources generated by a Universal Access Fund, and involves building out ICT infrastructure across some 186 high schools, and the provision of instructional technologies and audiovisual materials.

While this project is a step in the right direction, there remains inadequate attention to the development of teacher support and the pedagogical requirements of e-learning as distinct from conventional educational delivery. While promoting examinations-based objectives, the programme does not seem to sufficiently emphasise the intrinsic potential of ICTs as tools that the students can use to become better citizens and to improve their lives. The implication is that even though students have been taught about how to use the computer, they still might not have certain knowledge about how they can use these tools to become more involved in government processes and to access opportunities and information through e-government programmes.

The government has also partnered with the IDB to establish community access points (CAPs) across Jamaica. These CAPs are intended to "enable low-income citizens to gain access to information and services that are available online, such as employment exchange, market information, distance learning and technical assistance."[9] Currently, there are only twelve CAPs across the island. By systematic expansion enabling wider access to online information, this programme can help advance human rights in low-income communities.

For more effective growth, the CAPs programme will need to reform some of its qualifying criteria for community participation. Among the onerous provisions are the requirements for prospective CAPs communities to identify and refurbish the intended location for the project, identify a management structure for the operation of the CAP, and shortlist potential managers and/or supervisors. Alternative selection processes are needed for identifying communities as access points in order to realise the full potential of the programme.

New trends

The emergence of third-generation (3G) mobile services is an important development, since it offers people an avenue of high-speed access to online information through alternative channels other than traditional desktop computers. These emerging mobile services are demanded by upwardly mobile sections of society, but are less utilised among lower-income citizens as cost constraints pose a formidable challenge. However, considering the half-life of technology and a highly competitive market, we anticipate that over time the now expensive internet-enabled 3G mobile technologies will be reduced to more affordable levels for low-income Jamaicans, thereby opening up additional avenues for mobile access to e-government services.

Action steps

Among the immediate to medium-term ways in which Jamaican policy makers can assist citizens to exercise the right to online information are the following:

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8   www.e-jamaica.gov.jm

9   Office of the Prime Minister (2009) ICT Investment Reaching Schools, Communities, Businesses. www.jis.gov.jm

- The Jamaican government must move swiftly to mainstream more government services online, by designating a lead strategist to expand e-government infrastructure and content services.

- A combined initiative of government, the private sector and civil society is needed to drive a public education campaign, making Jamaicans more aware of their right to access information, including through the internet.

- The government should update existing legislation and organise greater policy coordination of agencies, departments and projects aimed at making internet services widely accessible, including for inner-city and rural communities.

- The government should remove the retrograde GCT on computer purchases and provide low-cost loans for computers and ICT training.

- There is a need for a more widely available management and information literacy training programme that could help further establish small cybercafés and telecentres in rural and low-income urban areas.

- There is also a need to increase adult literacy training services, and expand information literacy programmes into the primary and secondary education curricula to help unemployed persons and young adults seek out business opportunities online and generate content services.

- The government must create new laws to control cyber crime, policies to encourage greater business uptake of online services delivery and regulations to give effect to the recently adopted Electronic Transactions Act. ▪