

Jamaica

Western Hemisphere / **Caribbean**

CAPITAL Kingston	TERRITORY 10,830 km²	POPULATION (2020) 2,961,161.00	GDP TOTAL (2020) \$13.81B USD	GDP PER CAPITA (2020) \$4,664.52 USD	INCOME GROUP Upper middle income
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Convention Implementation

65.1

In progress

16th of 31 western hemisphere
4th of 11 Caribbean countries

Prevention

50.8

In progress

Criminalization and law enforcement

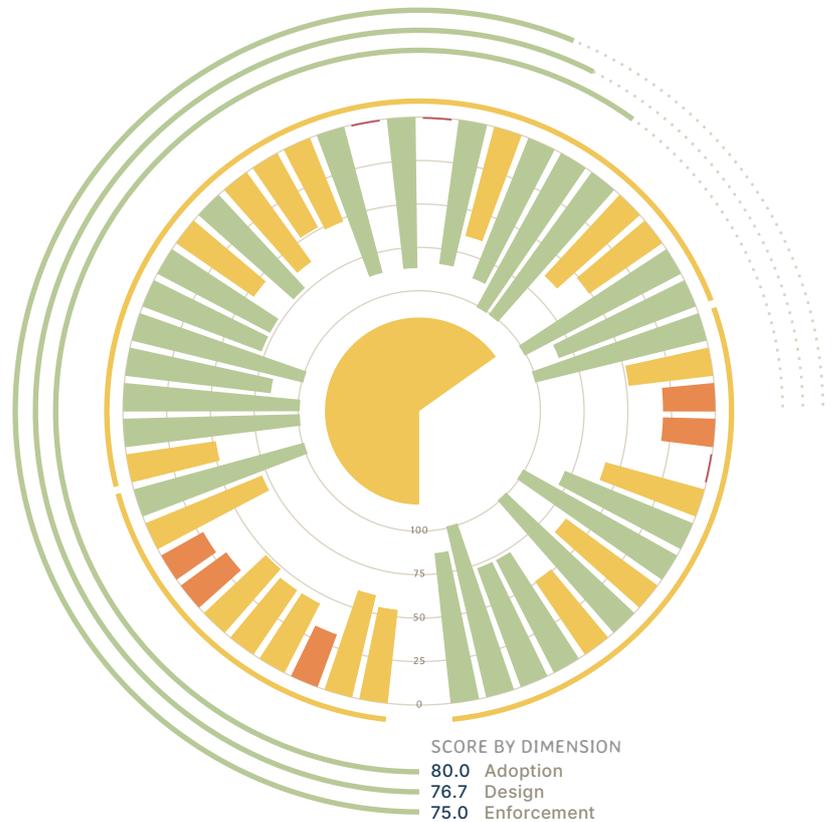
70.5

In progress

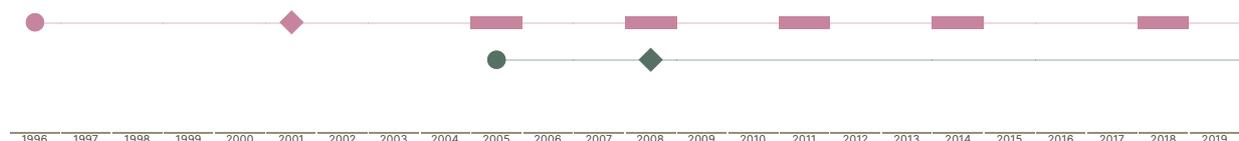
International cooperation

65.7

In progress



Anti-corruption conventions timeline



CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

KEY EVENTS

- Signed
- Ratified/acceded
- Review rounds

Prevention

In progress

50.8

✓ Adoption 77.5 ✎ Design 66.7 ⌚ Enforcement 66.7

Standards of Conduct In progress 53.1 ✓ 100.0 ✎ 66.7 ⌚ 66.7	Enforcement of Standards of Conduct In progress 59.4 ✓ 75.0 ✎ 83.3 ⌚ 66.7	Training of Public Officials Core-deficient 31.3 ✓ 25.0 ✎ 50.0 ⌚ 66.7	Asset and Conflicts of Interests Declarations Core-deficient 43.8 ✓ 100.0 ✎ 66.7 ⌚ 50.0	Transparency in Government Contracting Core-deficient 43.8 ✓ 100.0 ✎ 66.7 ⌚ 50.0
Elimination of Favorable Tax Treatment In progress 47.7 ✓ 75.0 ✎ 83.3 ⌚ 50.0	Oversight Bodies Core-deficient 31.3 ✓ 75.0 ✎ 33.3 ⌚ 66.7	Measures to Deter Domestic and Foreign Bribery Core-deficient 26.6 ✓ 50.0 ✎ 33.3 ⌚ 66.7	Encouraging Participation by Civil Society In progress 71.1 ✓ 75.0 ✎ 83.3 ⌚ 83.3	Study of Other Preventive Measures Implemented Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0

Criminalization and law enforcement

In progress

70.5

✓ Adoption 84.0 ✎ Design 78.7 ⌚ Enforcement 79.3

Protection of Those who Report Acts of Corruption In progress 50.8 ✓ 100.0 ✎ 50.0 ⌚ 83.3	Scope Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Jurisdiction: Offense-in-Territory Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Jurisdiction: Offense-by-National Implemented 82.8 ✓ 75.0 ✎ 83.3 ⌚ 100.0	Jurisdiction: Offender-in-Territory Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0
Passive Public Bribery In progress 71.9 ✓ 100.0 ✎ 100.0 ⌚ 66.7	Active Public Bribery In progress 71.9 ✓ 100.0 ✎ 100.0 ⌚ 66.7	Abuse of Functions In progress 53.1 ✓ 100.0 ✎ 66.7 ⌚ 66.7	Money Laundering In progress 71.9 ✓ 100.0 ✎ 100.0 ⌚ 66.7	Participation and Attempt In progress 62.5 ✓ 100.0 ✎ 83.3 ⌚ 66.7
Active Foreign Bribery In progress 47.7 ✓ 75.0 ✎ 83.3 ⌚ 50.0	Illicit Enrichment In progress 50.8 ✓ 100.0 ✎ 83.3 ⌚ 50.0	Use of State Property Implemented 85.9 ✓ 100.0 ✎ 83.3 ⌚ 100.0	Illicit Acquisition of a Benefit No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Public Embezzlement Implemented 85.9 ✓ 100.0 ✎ 83.3 ⌚ 100.0
Passive Foreign Bribery No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Private Bribery Implemented 82.8 ✓ 75.0 ✎ 83.3 ⌚ 100.0	Private Embezzlement In progress 64.1 ✓ 50.0 ✎ 66.7 ⌚ 100.0	Obstruction of Justice Implemented 85.9 ✓ 100.0 ✎ 83.3 ⌚ 100.0	Liability of Legal Persons Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0
Statute of Limitations Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Prosecution, Adjudication and Sanctions In progress 62.5 ✓ 100.0 ✎ 83.3 ⌚ 66.7	Consequences and Compensation In progress 50.0 ✓ 50.0 ✎ 50.0 ⌚ 100.0	Cooperation With Law Enforcement Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Asset Recovery Implemented 82.8 ✓ 75.0 ✎ 83.3 ⌚ 100.0

International cooperation

In progress

65.7

✓ Adoption 75.0 ✎ Design 80.0 ⌚ Enforcement 73.3

Assistance Without Criminalization
Implemented
100.0
✓ 100.0 ✎ 100.0 ⌚ 100.0

Inclusion in Extradition Treaties
In progress
47.7
✓ 75.0 ✎ 83.3 ⌚ 50.0

Convention as Legal Basis for Extradition
Core-deficient
28.9
✓ 50.0 ✎ 50.0 ⌚ 50.0

Automatic Application Without Treaty
Core-deficient
28.9
✓ 50.0 ✎ 50.0 ⌚ 50.0

Prosecution Without Extradition
No implementation
0.0
✓ 0.0 ✎ 0.0 ⌚ 0.0

Custody
In progress
57.8
✓ 100.0 ✎ 100.0 ⌚ 50.0

Assistance
Implemented
78.1
✓ 50.0 ✎ 100.0 ⌚ 83.3

Impossibility of Claiming Bank Secrecy
Implemented
100.0
✓ 100.0 ✎ 100.0 ⌚ 100.0

Limited Use of Information
In progress
64.1
✓ 50.0 ✎ 66.7 ⌚ 100.0

Nature of Act
Implemented
100.0
✓ 100.0 ✎ 100.0 ⌚ 100.0

Designate Central Authorities
In progress
50.0
✓ 50.0 ✎ 50.0 ⌚ 100.0

Responsibilities of Central Authorities
In progress
71.9
✓ 100.0 ✎ 100.0 ⌚ 66.7

Communication Between Central Authorities
In progress
71.9
✓ 100.0 ✎ 100.0 ⌚ 66.7

Special Investigative Techniques
Implemented
100.0
✓ 100.0 ✎ 100.0 ⌚ 100.0

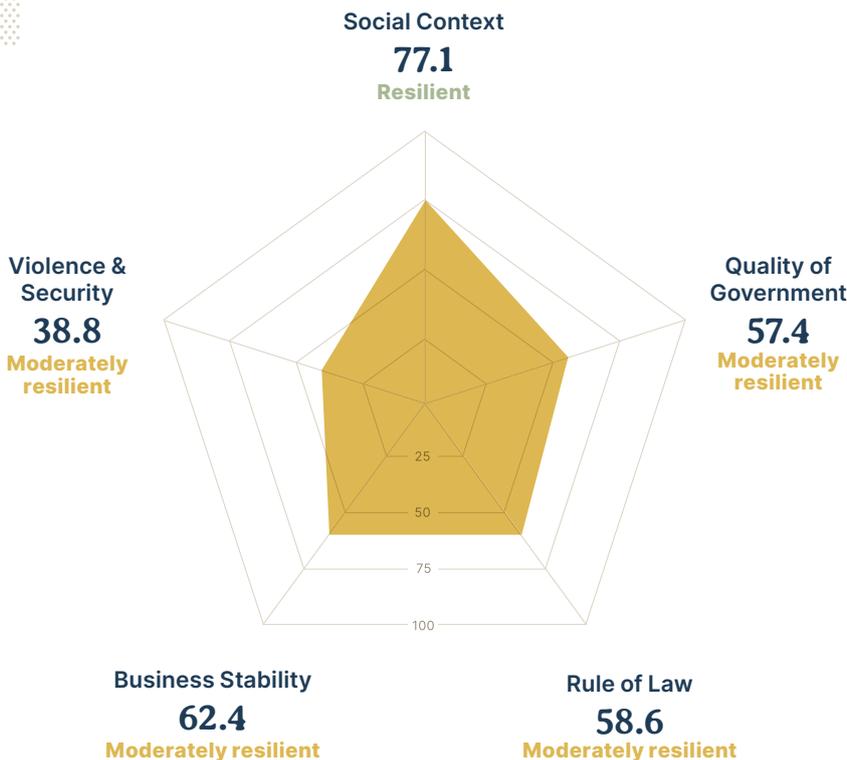
Technical Cooperation
Implemented
85.9
✓ 100.0 ✎ 100.0 ⌚ 83.3

Corruption Resilience

58.8

Moderately resilient

14th of 31 western hemisphere
8th of 11 Caribbean countries



Analysis

Convention Implementation

Jamaica signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on March 16, 2001. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since June 4, 2002. The country also signed the United Nations Convention Against Corruption (UNCAC) on September 16, 2005, and subsequently ratified it on March 5, 2008. Accordingly, Jamaica has undergone five rounds of review under MESICIC, and one round of review under the UNCAC review mechanism.

Jamaica's record in implementing its commitments to IACAC and UNCAC exhibits a number of successes and a few failures. With an overall score of 65.1, the measures adopted place the country at the middle point of compliance with international norms, surrounded by Bolivia (62.7), Panama (63.5), Ecuador (65.1), and Uruguay (66.1). However, progress in implementation is somewhat unequally distributed. The country achieves higher success in regard to criminalization and international cooperation while half of all deficient and unimplemented measures are found in regard to prevention. That being said, three quarters of all measures evaluated here receive a score of 50 or above—a degree of progress that reflects the overall state of the country's performance.

The prevention of corruption is undergoing, classified as "in progress" by its average score and with prominent measures given a score of 50 or above—the adoption of standards of conduct (53.1) and their enforcement (59.4), and the initiatives to encourage the participation of civil society (71.1). The study of preventive measures related to equitable compensation is considered to be fully implemented. On the other hand, half of all measures within this section fail to achieve sufficient progress—the actions to deter domestic and foreign bribery related to accounting regulations (26.6), the training of public officials (31.3), the state of oversight bodies (31.3) and—to a lesser degree—the systems for registering asset and conflict of interests' declarations and transparency in government contracting (both of which receive an encouraging score of 43.8), among others.

In terms of criminalization and law enforcement, Jamaica shows better results than those regarding prevention—and slightly better than those for international cooperation, as well. In fact, only three measures within this section receive a score below 50 and one of them is classified as "in progress". The country is found to have successfully implemented a

number of significant commitments, including those pertaining to embezzlement in the public sector, bribery in the private sector, and the liability of legal persons (the latter two required by UNCAC), among others. On the other hand, only two measures are found fully unimplemented: the criminalization of the illicit acquisition of a benefit (i.e., influence trading) and the passive bribery of foreign officials. Other important measures, such as the criminalization of active bribery of foreign officials (47.7), illicit enrichment (50.8) and abuse of functions (53.1), as well as the efforts to protect those who report acts of corruption (i.e., whistleblowing protection) (50.8) remain clearly in progress. Regarding the above-mentioned state of regulations addressing foreign bribery, the country's efforts are found to be in progress due to limitations in their legal features and unreported results. According to the UNCAC review mechanism, "[a]ctive bribery of foreign public officials is criminalized... but does not include officials of public international organizations."

Finally, Jamaica is found largely compliant in its commitments to establish jurisdiction over the offenses covered by the conventions, including those that have been committed inside its territory, committed by a national, or when the offender is present in its territory, among other required forms. However, the UNCAC review mechanism reports that Jamaica's jurisdiction "does not include offenses... relating to bribery in the private sector," which is all the more relevant given that the country has otherwise successfully criminalized bribery in the private sector (as mentioned in the previous paragraph). Furthermore, it is also highlighted that "Jamaica does not take [UNCAC] as legal basis for cooperation on extradition and only uses bilateral treaties or the London Scheme applicable to Commonwealth States." That being said, the overall level of implementation the country's commitments regarding international cooperation is found to be in progress, with an average section score of 65.7.

Corruption Resilience

Jamaica's social context indicator for 2020 was 77.1, an increase of 2.7 points from the previous year. The country's social context indicator is 12.2 points above the Western Hemisphere average of 64.9, grouping Jamaica's score within the top percentile for the region. Since 2010, Jamaica has experienced an increase in its social context score and has recorded consistently high levels of political rights, civil liberties, and media freedom, which are respected, guaranteed, and backed by the country's constitution. In 2020, Reporters Without Borders noted the country

is among the safest for journalists, particularly when compared to its regional counterparts.

The quality of government indicators, in 2020, saw an increase of 1.2 points from the previous year. Jamaica's current score of 57.4 exceeds the regional average by 6.8 points. However, the country still ranks below the top-performing countries in the region. Between 2010 and 2020, Jamaica's score has remained constant within a range of 5.4 points, where its score did not have any significant changes. Despite the country's consistent scores, Jamaica's quality of government indicator continues to be influenced by high levels of corruption within the country.

In 2020, Jamaica had a marginal increase of 0.6 points in the rule of law indicator, 7.5 points above the regional average of 51.1. Over the decade, the country's rule of law has varied but always remained above the regional average. The constitution protects and ensures judicial independence from political interference, particularly within the higher levels of the judiciary. Despite the independence of the court,

widespread corruption continues to pose problems within the lower courts.

With regard to the business stability indicator, Jamaica's 2020 score decreased by 1 point from the previous year, resulting in a score of 62.4. The country's business stability indicator falls within the top percentile for the region and is primarily attributed to an effective business regulatory system, protected property rights, and rule-based governance relating to economic activity.

The 2020 violence and security indicators for Jamaica was 38.8, which decreased from the preceding year by 2.6 points. Across this indicator, Jamaica's scores rank within the lower percentile for the Western Hemisphere region. The country's indicator score is primarily influenced by the presence of violent crime and crime resulting from drug trafficking networks. The country also struggles with high rates of homicide, reporting 46.5 homicides per 100 000 inhabitants in 2020.