

**JAMAICA OPEN GOVERNMENT PARTNERSHIP (OGP) SECOND NATIONAL ACTION PLAN (NAP) 2024-2026
MATRIX OF FEEDBACK ON DRAFT OGP NAP FROM MSF MEMBERS, STAKEHOLDERS AND THE PUBLIC**

OGP NAP Commitment	Section	Feedback Received	Source of Feedback	Date Received	Treatment/Response
1. Complete National Anti-Corruption Strategy					
2. Upgrade and Strengthen the Open Data System in Jamaica					
3. Amend the Access to Information (ATI) Act and Strengthen the ATI System in Jamaica	What is the public problem that the commitment will address?	Add “Oftentimes, the Official Secrets Act is also often cited as the justification for the denial of information. Therefore, a commitment to the amending the ATI Act should also include a review of the Official Secrets Act and proposals for its repeal.”	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted based on feedback from Office of the Prime Minister (OPM). While the process for amendment of the ATI Act will include the review of relevant documents, legal provisions and laws including the Official Secrets Act in the context of specific provisions of the Access to Information Act, the commitment does not include an explicit proposal for amendment or repeal of the Official Secrets Act, in order not to preempt the decisions which may be taken. It is important to note that section 35 (Provisions

OGP NAP Commitment	Section	Feedback Received	Source of Feedback	Date Received	Treatment/Response
					<p>re other Acts) states that- (1) Where access to an official document is granted in accordance with this Act, the person who authorizes such access and any other person concerned in the granting thereof shall not, by reason only of so doing, be guilty of a criminal offence. (2) Subject to subsection (3), nothing in this Act shall affect the provisions of any other Act other than the Official Secrets Act, relating to the non-disclosure of information. (3) For the avoidance of any doubt, it is hereby declared that the Official Secrets Act shall apply in relation to the grant of access to an official document in contravention of this Act. The Access to Information Act explicitly supersedes the Official Secrets Act non-disclosure provisions and the Official Secrets Act applies to disclosure in contravention of the Access to Information Act (for e.g. disclosure of exempt documents (sections 14-22 of the ATI Act). However, the JSC Report of</p>

OGP NAP Commitment	Section	Feedback Received	Source of Feedback	Date Received	Treatment/Response
					2011 does include a recommendation that the Official Secrets Act be repealed and replaced by an Act that would include penalties for the release of information that would put the State at risk, which will be taken into account in the process for amendment of the ATI Act.
	Additional information	Insert bullet "Constitution of Jamaica's Charter of Fundamental Rights and Freedom [Right to seek and receive information]"	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Accepted and included in Draft OGP NAP
	CSOs, private sector, multilaterals, working groups	Add Jamaicans for Justice	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted based on feedback from OPM, as there will be scope for specific CSOs to be included on the ATI Advisory Stakeholders Committee (which is a Civil Society representative body only) and Access to Information Act Advisory Committee which will have multistakeholder representation including civil society.

OGP NAP Commitment	Section	Feedback Received	Source of Feedback	Date Received	Treatment/Response
4. Increase Access to Information on and Public Awareness of the Justice System and Human Rights	What is the public problem that the commitment will address?	Replace initial draft text with revised text for section (see footnote 1)	Capt. Natalie James – Acting Director- Human Rights Division, MLCA	July 12, 2024	Accepted and included in Draft OGP NAP
		Include “In 2014, the Government of Jamaica made a commitment to establishing National Human Rights Institution in keeping with the Paris Principles. In its 2020 Universal Periodic Review of the United Nations Human Rights Council, the Government of Jamaica reiterated its objective of establishing a NHRI, stating that there has been collaboration with various public and private stakeholders, with a view to determining the best approach for Jamaica. To date, there has been no legislative effort to actioning this commitment.”	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted based on feedback from Ministry of Legal and Constitutional Affairs (MLCA), as the National Human Rights Institution (NHRI) is not among the actions for tracking under this commitment.
	What is the commitment?	Replace “Increase access to information on and public awareness of the Justice System and Human Rights” with “Increase access to information on and public awareness of the Justice System and Human Rights, and develop a roadmap towards the establishment of the National Human Rights Institution”	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted based on feedback from MLCA, as the NHRI is not among the actions for tracking under this commitment.

OGP NAP Commitment	Section	Feedback Received	Source of Feedback	Date Received	Treatment/Response
	How will the commitment contribute to solving the public problem?	Add “A roadmap for establishing the NHRI will outline the legislative steps that need to be undertaken, as well as having bipartisan and multistakeholder consensus on the structure and governance framework of the NHRI. An NHRI that is established in keeping with the Paris Principles, will increase access to justice of citizens. An NHRI will also have human rights public education as a core of its mandate.”	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted based on feedback from MLCA, as the NHRI is not among the actions for tracking under this commitment.
	Milestone Activity with a verifiable deliverable	Insert Milestone Activity to “Conduct stakeholder consultations on developing a roadmap for the establishment of the National Human Rights Institution” with start date of January 2025 and end date of June 2025	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted based on feedback from MLCA, as the NHRI is not among the actions for tracking under this commitment.
		Insert Milestone Activity for “Cabinet Submission on the agreed roadmap and legislative proposals for establishment of the NHRI” with start date of July 2025 and end date of September 2025	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted based on feedback from MLCA, as the NHRI is not among the actions for tracking under this commitment.

OGP NAP Commitment	Section	Feedback Received	Source of Feedback	Date Received	Treatment/Response
5. Complete Environmental Impact Assessment (EIA) Regulations	CSOs, private sector, multilaterals, working groups	Add Jamaica Environment Trust Jamaicans for Justice	Mikel Jackson, Executive Director, Jamaicans for Justice	Feb. 23, 2024	Suggestion not accepted as it is not necessary to list every possible relevant stakeholder who may be involved in this commitment.
6. Update and Implement the Climate Change Policy Framework					
7. Strengthen Youth Participation and Access to Services					

Footnotes

1. Increase Access to Information on and Public Awareness of the Justice System and Human Rights

Replace: “The Ministry of Legal and Constitutional Affairs (MLCA) has been established in 2023 to focus on and direct the Government’s legislative agenda and its legal and constitutional reform programme. The MLCA has also been mandated to protect human rights and reform the Constitution so that it effectively serves and reflects the will of the people of Jamaica. In addition, a robust Legal Education Programme will be implemented across the public sector to heighten awareness of the legislative review process, the role of all stakeholders in the process, and the need for full compliance with the law.”

With: “The Ministry of Legal and Constitutional Affairs (MLCA) was established in January 2022 to take charge of and give focused attention to the Government’s Legislative Agenda and its legal and constitutional reform aspirations. The creation of the MLCA is the Government’s attempt to holistically revisit the legal and constitutional infrastructure of the State and accelerate the pace of reform. The MLCA has been mandated to reform the Constitution so that it effectively serves and reflects the will of the people of Jamaica. A robust Legal Education Programme has been crafted and implemented to heighten awareness of the Constitution and Laws of Jamaica. The protection of human rights through a responsibility framework priority underscores the MLCA's commitment to heighten awareness of people’s constitutional rights and addressing lingering human rights concerns.”

2. General

It should be noted that this matrix is based on feedback received on the draft Second OGP NAP during the periods when the draft OGP NAP was placed in the public domain on the website of the Ministry of Finance and the Public Service and shared by email with stakeholders over the periods February 5-19, 2024 and June 27-July 12, 2024, for review and feedback by stakeholders and the public.

It should be noted that corrections to Contact information have not been included in this feedback matrix. The feedback matrix also does not reflect changes made to the draft OGP NAP in co-creation meetings with stakeholder consultation groups or in follow-up to meetings with stakeholder consultation groups.