



FOR IMMEDIATE RELEASE
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PORT AUTHORITY REFUSES TO DISCLOSE THE MOU REGARDING THE LOGISTICS HUB AND PORT DEVELOPMENT

Using the Access to Information Act, the Jamaica Environment Trust (JET) requested information from several government agencies relating to the development of a logistics hub and/or a transshipment port for Jamaica. Requests were made to the Port Authority, the Ministry of Transport and Works (which has asked for an extension of 30 days to respond), the Office of the Prime Minister (which transferred our request to the Ministry of Transport and Works), the Ministry of Land Water Environment (which said they have no such documents), the Urban Development Corporation (which has not responded at all), and the Ministry of Industry Investment and Commerce (which said sent a general brochure on the logistics hub).

The information requested was broadly defined and included:

1. The Memorandum of Understanding (MOU) and Addendum between the Port Authority of Jamaica and the China Harbour Engineering Company (CHEC);
2. The Environment Management Scoping Study for Goat Islands/Portland Bight Protected Area and its Terms of Reference; and
3. Proposals submitted by CHEC or other Chinese interests for the hub or port

In a letter dated October 23rd, 2013, the Port Authority of Jamaica (PAJ) refused to provide JET with these documents with the exception of the Terms of Reference for the Environment Management Scoping Study. The PAJ's letter states that the MOU and proposals relating to the development of the port are exempt under the Access to Information Act for the reason that disclosure would constitute an actionable breach of confidence, that premature disclosure would or could have a substantial effect on the Jamaican economy and that the documents contain information concerning the commercial interests of an organisation and disclosure of that information would prejudice those interests. The Port Authority also failed to provide JET with access to the Environment Management Scoping Study and did not give any reasons for this.

The Jamaica Civil Society Coalition (JCSC) shares JET's concern. Both organizations view this refusal to disclose the information as displaying disregard for the rights of the Jamaican people to be informed about the decision-making process in relation to the proposed logistics hub and port. Further, it is a breach of the Access to Information Act which was passed to allow citizens access to official documents to further transparency and public participation. The refusal is also contrary to pronouncements made by the Minister of Transport, Works and Housing in his statement to Parliament on this issue on

September 10th, 2013 that the government is committed to “fostering the environment where stakeholders can be a part of the decision-making process.”

“The actions of the Port Authority have cemented our view that there is in fact no transparency in the decision-making process regarding the proposal to put this port in a protected area and that the government has little interest in engaging with stakeholders. In keeping with the requirements of the Access to Information Act, we intend to request an internal review of the Port Authority’s refusal to provide this information and if that is unsuccessful, we will appeal this refusal to the ATI Appeals Tribunal,” said Danielle Andrade, Legal Director of the Jamaica Environment Trust.

JCSC and JET are calling on the Ministry of Information and the Ministry of Transport, Works and Housing to provide the public with access to the information requested immediately.

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