



**Statement by**

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**on behalf of**

**The Caribbean Community**

**(CARICOM)**

**at the First Session of the Ad Hoc Committee to Elaborate a  
Comprehensive International Convention on Countering the Use  
of Information and Communications Technologies for Criminal  
Purposes on**

**Agenda Item 4: Objectives and Scope of the Convention**

**Conference Room 4, UNHQ**

**March 2, 2022**

**Madame Chair,**

I have the honour of speaking on behalf of the fourteen (14) member states of the Caribbean Community.

We are a group of small developing states with increasing concerns about the use of ICTs to commit criminal offences. CARICOM considers the illegal use of information and communication technology for a criminal purpose to be a serious and potentially crippling socio-economic threat, not just to our region but to all member states of the United Nations which are represented at this meeting of the Ad Hoc Committee. Our interests are common in this regard.

CARICOM generally supports the Chair's proposals on the objectives of the Convention and considers that the proposals on the Scope of the conventions are a good basis for our discussions, with some refinement required.

Notwithstanding, we must ensure that human rights and fundamental freedoms of the individual are protected. The Constitutions of all countries in CARICOM guarantee fundamental rights and freedoms for all persons. Moreover, these Constitutions are recognised as being the supreme law. Therefore, all proposed laws, including international law, must be compatible with these Constitutions and the fundamental rights principles enshrined in them.

The primary objective of the new instrument should be the creation of a document which puts us all in a better position to accomplish the following:

1. The effective and successful investigation and prosecution of this borderless and unique form of criminal activity which involves computer systems and ICTs;
2. To offer support to small developing countries, like those of CARICOM, in respect of their capabilities in respect of the investigation and prosecution of such offences;
3. To enhance international co-operation among member states in the investigation and prosecution of cybercrimes.

As small developing countries, we believe that we must address the law enforcement and international co-operation issues as integral components of a multilateral instrument and to define how this can assist us in dealing with challenges to come.

In terms of the scope of the instrument, CARICOM believes that the instrument should provide the following;

1. A settled list of substantive cybercrime offences as well as a clearly defined outline of investigative powers of law enforcement officers which are acceptable in keeping with the principles of proportionality, legality and necessity as well as

respecting human rights whilst enabling law enforcement to effectively investigate cybercrimes;

2. Create a framework for International cooperation which is expeditious and facilitates direct contact between law enforcement officers and offers a roadmap for the preservation, production and transfer of electronic evidence across borders;
3. Creating a mechanism for offering technical assistance and capacity building initiatives particularly in light of the specific needs of small developing states such as those in the CARICOM region.
4. Facilitate the criminalization of cyber dependent crimes and activities which affect the “Integrity, Confidentiality and Availability“ of computer systems.

**Madame Chair,**

CARICOM will take full advantage of this opportunity to negotiate as we work to ensure a safer cyber space with effective law enforcement in this technological era.

Thank you.