



Statement by

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in New York**

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

Trusteeship Council Chamber, UNHQ

March 10, 2022

Madame Chair,

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

At the outset, CARICOM is appreciative of the work that both you and the Secretariat have undertaken on this proposal for the objectives and scope of the Convention since last week in an effort to have the interests of member states adequately reflected, noting that this remains an indicative document and will be open for further discussion.

Admittedly, CARICOM did not expect such an in-depth exchange on this agenda item, especially as we look forward to having more detailed discussions during the negotiations on the provisions themselves, and would prefer that this document remain targeted and streamlined.

Notwithstanding, several member states have taken the floor to express some views that CARICOM could support and we take this opportunity to highlight a few particularly in relation to the scope of the Convention.

1. On the issue of sovereignty, CARICOM recognises that it is an important underlying factor in the elaboration of this instrument and has been sufficiently addressed in the objectives. Noting the duplication in the scope of application,

CARICOM supports the UK's proposal to amend item 1 under paragraph 5 to read "respect for the principle of sovereignty" as opposed to "protection of sovereignty".

2. The Ad Hoc Committee may recall that CARICOM added its voice to the call for the protection of human rights and fundamental freedoms, and also recognised that this too is an important underlying factor in the elaboration of the Convention. CARICOM therefore welcomes the inclusion of the reference in the objectives. Again, noting the duplication in the elements to include in the scope at item 2 under paragraph 5, CARICOM offers support for the proposal to delete "comprehensive". The item would therefore read "Ensuring protection for human rights and fundamental freedoms, consistent with applicable international obligations".
3. Finally, in respect of item 4 which reads, "Taking into consideration child- and gender-sensitive issues", CARICOM supports the position of the Holy See that this sentence would require additional language to ensure that it remains relevant to the context of cybercrime. As it stands, the reference is much too broad and runs the risk of impinging on discussions in other fora. CARICOM would also wish to know how child-sensitive issues would be linked to the Convention.

In addition, CARICOM thanks the Delegation of Honduras for supporting the proposal to address the issue of Revenge Pornography/ Non-Consensual Distribution of Sexual Images. However, for the benefit of the Ad Hoc Committee, CARICOM wishes to clarify that this proposal was made during the preliminary discussion on the key elements of the Convention – particularly content-related offences in relation to the violation of privacy – and was not gender specific.

Thank you, Madame Chair.