

Workshop on Cybercrime Legislation in the Caribbean Region

Trinidad and Tobago, May 13-15, 2008

CYBERCRIME LEGISLATION COUNTRY PROFILE

This profile is an informal assessment of the current state of national legislation on cybercrime matters. It does not necessarily reflect official positions of the country, Organization of American States, or Council of Europe.

Instructions for preparing your country's profile

- The profile is a comparison of your country's national legislation to the legal framework set forth in the Council of Europe's Cybercrime Convention.
- For each provision of the Convention listed below, please quote or summarize the corresponding provisions or solutions in your country's legislation. Refer to the Convention for complete texts of each provision. In addition, the Council of Europe has drafted a comprehensive explanatory report to supplement the Convention. These documents are available at <http://conventions.coe.int> and <http://www.cybercrime.gov/intl.html>.
- Please submit a draft of this profile to the OAS Office of Legal Cooperation **no later than May 6, 2008**. You may submit your draft profile to:

Laura Martinez
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OAS Office of Legal Cooperation
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- The workshop organizers will review your draft prior to the beginning of the workshop. The OAS Office of Legal Cooperation and the workshop organizers will not share this document without prior permission from your country.
- Bring your draft and copies of relevant portions of your country's legislation to the workshop. At the workshop, each country delegation will have the opportunity to discuss and edit the country profile.
- If you have any questions or comments, please contact:

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Provision of the Convention	Corresponding provisions or solutions in national legislation
Use of Terms	
Article 1 Definitions of “computer system” “computer data” “service provider” “traffic data”	
Substantive criminal law	
Article 2 Illegal access	
Article 3 Illegal interception	
Article 4 Data interference	
Article 5 System interference	
Article 6 Misuse of devices	

Article 7 Computer-related for- gery	
Article 8 Computer-related fraud	
Article 9 Offenses related to child pornography	
Article 10 Offenses related to in- fringements of copy- right and related rights	
Article 11 Attempt and aiding or abetting	
Article 12 Corporate liability	
Article 13 Sanctions and measures	
Procedural law	
Article 14 Scope of procedural provisions	
Article 15 Conditions and safe- guards	
Article 16 Expedited preservation of stored computer data	
Article 17 Expedited preservation and partial disclosure of traffic data	
Article 18 Production order	

Article 19 Search and seizure of stored computer data	
Article 20 Real-time collection of traffic data	
Article 21 Interception of content data	
Jurisdiction	
Article 22 Jurisdiction	
International Cooperation	
Article 24 Extradition	
Article 25 General principles relating to mutual assistance	
Article 26 Spontaneous information	
Article 27 Procedures pertaining to mutual assistance requests in the absence of applicable international agreements	
Article 28 Confidentiality and limitation on use	
Article 29 Expedited preservation of stored computer data	
Article 30 Expedited disclosure of preserved traffic data	

Article 31 Mutual assistance re- garding accessing of stored computer data	
Article 32 Trans-border access to stored computer data with consent or where publicly available	
Article 33 Mutual assistance in the real-time collection of traffic data	
Article 34 Mutual assistance re- garding the interception of content data	
Article 35 24/7 Network	

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