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Review and Adoption of Assessment Reports

Presentation at the

First Consultation Workshop for

Working Group 1 – ITU-EC HIPCAR Project

Saint Lucia, 8-12 March 2010



Objective

- To review the status of countries on the matters of consideration as per revisions of the HIPCAR Assessment Reports

Electronic Transactions: Overview of Issues

- Key Definitions
- Legal Effect of Electronic Transactions
- Requirements for Validity of e-documents
- Formation of Contracts
- Electronic Signatures
- Consumer Protection
- Intermediaries and Telecoms Service Providers

Electronic Transactions : Assessment

Country	1. Key Definitions	2. Legal effect of electronic transactions	3. Requirements for the validity of e-documents	4. Formation of Contracts
Antigua and Barbuda	Limited	Limited	Limited	Limited
Bahamas	Good	Good	Good	Good
Barbados	Good	Good	Good	Fair
Belize	Fair	Good	Good	Good
Dominica	None	None	None	None
Dominican Republic	Good	None	Good	Good
Grenada	Limited	Limited	Limited	Limited
Guyana	None	None	None	None
Haiti	None	None	None	None
Jamaica	Good	Good	Good	Good
Saint Kitts and Nevis	None	None	None	None
Saint Lucia	Limited	Limited	Limited	Limited
Saint Vincent and the Grenadines	Good	Good	Good	Good
Suriname	None	None	None	None
Trinidad and Tobago	Limited	Limited	Limited	Limited

Electronic Transactions : Assessment

Country	5. Electronic Signatures	6. Consumer Protection	7. Intermediaries and Telecoms providers
Antigua and Barbuda	Limited	Limited	Limited
Bahamas	Poor	None	Good
Barbados	Good	None	Good
Belize	None	Good	None
Dominica	None	Fair	None
Dominican Republic	Good	None	None
Grenada	Limited	Limited	Limited
Guyana	None	None	None
Haiti	None	None	None
Jamaica	Good	Good	Good
Saint Kitts and Nevis	None	None	None
Saint Lucia	Limited	Limited	Limited
Saint Vincent and the Grenadines	Good	Good	Good
Suriname	None	None	None
Trinidad and Tobago	Limited	Limited	Limited

Electronic Evidence: Overview of Issues

- Definitions
- General Admissibility of Electronic Records
- Application of the Best Evidence Rule
- Authentication
- Presumption of Integrity
- Standards, Proof of Affidavit and Cross Examination
- Agreement of Admissibility of Electronic Records
- Admissibility of Electronic Signatures

Electronic Evidence : Assessment

Country	Definitions	General Admissibility of electronic records	Application of the best evidence rule	Authentication	Presumption of integrity
Antigua and Barbuda	None	None	None	None	None
Bahamas	Limited	Good	None	Good	Good
Barbados	Fair	Limited	None	None	Good
Belize	Fair	Good	Good	Good	Good
Dominica	None	None	None	None	None
Dominican Republic	None	None	None	None	None
Grenada	None	None	None	None	None
Guyana	None	None	None	None	None
Haiti	None	None	None	None	None
Jamaica	Limited	Good	None	None	Fair
Saint Kitts and Nevis	None	None	None	None	None
Saint Lucia	None	None	None	None	None
Saint Vincent and the Grenadines	None	Good	None	None	None
Suriname	None	None	None	None	None
Trinidad and Tobago	Fair	Good	None	Good	Fair

Electronic Evidence : Assessment

Country	Standards, proof of affidavit and cross examination	Agreement of admissibility of electronic records	Admissibility of electronic signature
Antigua and Barbuda	None	None	None
Bahamas	None	None	Good
Barbados	None	None	Good
Belize	Good	Good	None
Dominica	None	None	None
Dominican Republic	None	None	None
Grenada	None	None	None
Guyana	None	None	None
Haiti	None	None	None
Jamaica	Good	None	None
Saint Kitts and Nevis	None	None	None
Saint Lucia	None	None	None
Saint Vincent and the Grenadines	None	None	Good
Suriname	None	None	None
Trinidad and Tobago	Good	None	None

Privacy & Data Protection: Overview of Issues

- Legal Mandate
- Institutional Framework
- Regulatory Empowerment
- Collection of Personal Information
- Storage and Use of Information
- Disclosure of Information

Privacy & Data Protection: Assessment

Country	1. Legal Mandate	2. Institutional Framework	3. Regulatory Empowerment
Antigua and Barbuda	None	None	None
Bahamas	Good	Good	Good
Barbados	Poor	None	None
Belize	None	None	None
Dominica	None	None	None
Dominican Republic	None	None	None
Grenada	None	None	None
Guyana	None	None	None
Haiti	None	None	None
Jamaica	None	None	None
Saint Kitts and Nevis	Limited	Limited	Limited
Saint Lucia	Limited	Limited	Limited
Saint Vincent and the Grenadines	Fair	Poor	Fair
Suriname	None	None	None
Trinidad and Tobago	Limited	Limited	Limited

Privacy & Data Protection : Assessment

Country	4. Collection of Personal Information	5. Storage and Use of Information	6. Disclosure of Information
Antigua and Barbuda	None	None	None
Bahamas	Good	Good	Good
Barbados	None	None	Poor
Belize	None	None	None
Dominica	None	None	None
Dominican Republic	None	None	None
Grenada	None	None	None
Guyana	None	None	None
Haiti	None	None	None
Jamaica	None	None	None
Saint Kitts and Nevis	Limited	Limited	Limited
Saint Lucia	Limited	Limited	Limited
Saint. Vincent and the Grenadines	Good	Fair	Fair
Suriname	None	None	None
Trinidad and Tobago	Limited	Limited	Limited

Interception of Communications: Overview of Issues

- Legal Mandate
- Institutional Framework
- Definition of Interception
- Right to Intercept
- Approval of Equipment with Interception Capabilities
- Internal Safeguards
- Monitoring
- Interception Capabilities

Interception of Communications : Assessment

Country	Legal Mandate	Institutional Framework	Definition of Interception	Right to Intercept	Approval of Equipment
Antigua and Barbuda	Limited	Limited	Limited	Limited	Limited
Bahamas	None	None	None	None	None
Barbados	None	None	None	None	None
Belize	None	None	None	None	None
Dominica	Limited	Limited	Limited	Fair	Limited
Dominican Republic	None	None	None	None	None
Grenada	Limited	Limited	Limited	Limited	Limited
Guyana	None	None	None	None	None
Haiti	None	None	None	None	None
Jamaica	Good	Good	Good	Good	Good
Saint Kitts and Nevis	Limited	Limited	Limited	Limited	Limited
Saint Lucia	Good	Good	Good	Good	Good
Saint. Vincent and the Grenadines	Limited	Limited	Limited	Fair	Limited
Suriname	None	None	None	Fair	None
Trinidad and Tobago	None	None	None	None	None

Interception of Communications : Assessment

Country	Internal Safeguard Measures	Monitoring	Interception Capabilities
Antigua and Barbuda	Limited	Limited	Limited
Bahamas	None	None	None
Barbados	None	None	None
Belize	None	None	None
Dominica	Limited	Limited	Limited
Dominican Republic	None	None	None
Grenada	Limited	Limited	Limited
Guyana	None	None	None
Haiti	None	None	None
Jamaica	Good	Good	Good
Saint Kitts and Nevis	Limited	Limited	Limited
Saint Lucia	Good	Good	Good
Saint Vincent and the Grenadines	Limited	Limited	Limited
Suriname	None	None	None
Trinidad and Tobago	None	None	None

Freedom of Information: Overview of Issues

- Type of Information
- Obligation to Publish Automatically
- Records Management or Maintenance
- Exceptions
- Enforcement, Review and Appeals
- Protection of Whistleblowers
- FOI Legislation
- Fees
- Time Limits

Freedom of Information : Assessment

Country	Type of information	Obligation to publish automatically	Records	Exceptions	Enforcement, review and appeals
Antigua and Barbuda	Limited	Limited	None	Fair	Good
Bahamas	None	None	None	None	None
Barbados	None	None	None	None	None
Belize	Good	Limited	None	Limited	Good
Dominica	None	None	None	None	None
Dominican Republic	Good	Good	Good	Fair	Good
Grenada	Limited	Limited	Limited	Limited	Limited
Guyana	Limited	Limited	Limited	Limited	Limited
Haiti	None	None	None	None	None
Jamaica	Good	Limited	None	Fair	Good
Saint Kitts and Nevis	Limited	Limited	Limited	Limited	Limited
Saint Lucia	None	None	None	None	None
Saint Vincent and the Grenadines	Limited	Limited	None	Fair	None
Suriname	None	None	None	None	None
Trinidad and Tobago	Limited	Good	None	Fair	None

Freedom of Information : Assessment

Country	Protection for Whistleblowers	FOI Legislation	Fees	Limits
Antigua and Barbuda	Good	None	Good	Good
Bahamas	None	None	None	None
Barbados	None	None	None	None
Belize	None	None	None	Good
Dominica	None	None	None	None
Dominican Republic	None	None	Good	Good
Grenada	Limited	Limited	Limited	Limited
Guyana	Limited	Limited	Limited	Limited
Haiti	None	None	None	None
Jamaica	None	Limited	Good	Fair
Saint Kitts and Nevis	Limited	Limited	Limited	Limited
Saint Lucia	None	None	None	None
Saint Vincent and the Grenadines	None	None	Good	Good
Suriname	None	None	None	None
Trinidad and Tobago	None	None	Good	Good

Cybercrime: Overview of issues

- Illegal Access
- Illegal Interception
- Data Interference
- System Interference
- Illegal Devices
- Computer-related Fraud
- Computer-related Forgery
- Child Pornography / Illegal Content

Cybercrime: Assessment

Country	Illegal Access	Illegal Interception	Data Interference	System Interference	Illegal Devices	Computer-related Fraud	Computer-related Forgery	Child pornography
Antigua and Barbuda	Good	None	None	None	None	None	None	Good
Bahamas	Good	None	Good	Good	Good	None	None	None
Barbados	Good	Good	Good	Good	Good	None	None	Good
Belize	Limited	Limited	Limited	Limited	Limited	Limited	Limited	Limited
Dominica	None	None	None	None	None	None	None	None
Dominican Republic	Good	Good	Good	Good	Good	None	None	None

Cybercrime: Assessment

Country ¹²	Illegal Access	Illegal Interception	Data Interference	System Interference	Illegal Devices	Computer-related Fraud	Computer-related Forgery	Child pornography
Grenada	None	None	None	None	None	None	None	None
Guyana	None	None	None	None	None	None	None	None
Haiti	None	None	None	None	None	None	None	None
Jamaica	Good	Good	Good	Good	Good	Good	Good	Good
Saint Kitts and Nevis	Limited	Limited	Limited	Limited	Limited	Limited	Limited	Limited
Saint Lucia	None	None	None	None	None	None	None	None
Saint Vincent and the Grenadines	Good	Good	Good	Good	Good	Good	None	Good
Suriname	Fair	Good	Limited	Fair	None	None	None	None
Trinidad and Tobago	Good	None	Good	Good	Good		None	None

In Conclusion

The Plenary moves to the Assent of the Reports

Thank You

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