

Intervention Agenda 5

31st CCPCJ

Thematic discussion on strengthening the use of digital evidence in criminal justice and countering cybercrime, including the abuse and exploitation of minors in illegal activities with the use of the Internet

Thank you, Mr. Chair,

First, I would like to thank all the panellists for their comprehensive and timely presentations.

Mr. Chair,
Distinguished delegates,

Indonesia puts great importance on the use of digital evidence in criminal justice and countering cybercrime.

In Indonesia, electronic evidence has to meet three main requirements.

First, on how to obtain the evidence, the investigator has to conduct a search and seizure by considering the privacy protection, confidentiality, and the integrity of the data.

Second, on the examination of the evidence, it needs to be examined in accordance with the correct procedures so it can be admitted as certified evidence.

Third, on the legality of the evidence, it needs experts to certify whether the evidence has not been modified.

In addition, we believe that when handling electronic evidence involving children, we need to put in place special measures to protect children's rights to privacy, safety, well-being, and access to justice.

When electronic evidence is located in other jurisdictions or on cloud-based servers, it will create challenges in securing such evidence considering its nature. Delay in international cooperation will risk the evidence being modified or destroyed. Thus, we urge stronger international cooperation among law enforcement authorities in the criminal investigations.

As the collection and use of electronic evidence need a special set of skills, we are of the view that capacity building is imperative, including the admissibility of electronic evidence from

abroad. The capacity building will enable criminal justice authorities to increase their knowledge, expertise, and skills in matters related to electronic evidence.

In conclusion, we stand ready to enhance international cooperation with other countries in the use of electronic evidence.

Thank you.

Word count: 275