

**STATEMENT BY THE REPUBLIC OF GHANA AT THE FOURTH SESSION OF  
THE AD HOC COMMITTEE TO ELABORATE A COMPREHENSIVE  
INTERNATIONAL CONVENTION ON COUNTERING THE USE OF INFORMATION  
AND COMMUNICATIONS TECHNOLOGIES FOR CRIMINAL PURPOSES**

**January 9, 2023,  
Vienna, Austria**

Madam Chair,

The Ghana delegation would like to thank you, members of the Bureau and the Secretariat for your hard work in convening this session. The delegation would also like to commend you for the excellent work done in preparing a comprehensive Consolidated Negotiating Document (CND) which is reflective of the inputs and contributions from Member States during the previous sessions of the Ad Hoc Committee. Ghana is particularly pleased that some of the inputs reflect provisions in existing international instruments such as the Convention on Cybercrime (Budapest Convention), the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) and the Directive on fighting cybercrime within ECOWAS (ECOWAS Directive).

2. Ghana believes that the CND is a very good starting point for negotiations towards fulfilling the mandate of the Ad Hoc Committee.

Madam Chair,

3. The Ghana delegation supports the provisions on criminalisation of offences against the confidentiality, integrity and availability of computer systems and computer data as provided in the CND and believes that these provisions should, ultimately, be incorporated in the future convention.

4. In addition, Ghana supports and advocates for inclusion in the future convention provisions in the CND, specifically articles 13, 14, 15, 16, 17 and 18 relating to criminalisation of cyber-enabled crimes against children, particularly those crimes whose scale, scope and speed have been increased using ICTs.

Madam Chair,

5. Further on the subject of criminalisation of offences against children online, Ghana emphasises that the criminalisation of online child sexual exploitation and abuse, should include live streaming of child sexual abuse. Live streaming of child sexual abuse is one of the newest forms of child sexual exploitation created because of technological developments. Children continue to suffer psychological harm due to online exploitation, leading to suicide and other dangers.

6. The criminalisation of such acts aims to ensure the protection of the rights and integrity of children online from the activities of cybercriminals which is in line with Article 34 of the United Nations Convention on the Rights of the child, requiring States Parties to protect children from all forms of sexual exploitation and sexual abuse, by employing all appropriate national, bilateral, and multilateral measures.

Madam Chair

7. The Ghana delegation would like to, additionally, emphasize the need for the future Convention to strengthen the investigatory, prosecutorial, and judicial powers and procedures of Criminal Justice Authorities in combatting cybercrime at the national and international levels. Appropriately, Ghana proposes that the procedural measures and law enforcement investigatory powers captured in articles 25, 26, 27, 28, 29 and 30 of the CND should be maintained in the future Convention.

8. Ghana is also of the view that adequate conditions and safeguards should be provided for under the future convention to ensure that these special investigatory powers and procedures are not abused in furtherance of the protection of fundamental human rights and freedoms, including the right to privacy.

9. While recognizing that the CND, despite its inclusive nature, does not represent a consensus for a Convention, Ghana is of the view that the document has a good prospect for forging consensus among Members States, especially regarding provisions on cyber-dependent crimes as well as important procedural measures to ensure a timely and effective global response to cybercrimes.

10. In conclusion, the Ghana delegation would like to emphasize that the Convention should harmonise existing international and regional legal frameworks on cybercrime, improve investigatory powers and procedures, and promote and enhance international cooperation and the CND as presented is a good foundation to facilitate the development of a future convention to achieve this goal.

I thank you for your kind attention.