Cybersecurity Tech Accord Statement to Reconvened concluding session of the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes

30 July 2024

Thank you Madam Chair.

On behalf of the Cybersecurity Tech Accord and our 150+ signatory companies globally, please accept our gratitude for your work and that of your team including the Secretariat.

We again align ourselves with the statements of the International Chamber of Commerce and Microsoft and as well as so much said by civil society.

We also support the proposals for this session from both the OHCHR and Human Rights Watch. We have some further proposals which we would be pleased to share bilaterally, as well as those in our written statement on the AHC website.

Madame Chair, distinguished delegates, we all confront several serious problems.

We have an instrument that the pre-eminent guardian of international human rights law – the OHCHR - has clearly said is not congruent with that legal framework, to which virtually every state in this room is bound.

We have an instrument which will degrade global cybersecurity through legal jeopardy for the professionals who are critical to protecting the systems depended on daily by billions of people – and not only them, journalists, whistleblowers, and others too.

We have an instrument which allows governments to engage in unlimited perpetual secret cooperation. Does anyone believe that won’t be abused? Without addressing obvious vectors for abuse the text has clear risks to national security and undermines the meagre human rights safeguards in the text.
We have an instrument so broad in scope that nobody in or outside of this room even knows what acts it covers and yet – and yet – there are demands to immediately negotiate a protocol broadening the scope even further before the convention even enters into force.

Last – but definitely not least, we have an instrument that facilitates charging children as criminals subject to international law enforcement cooperation for their selfies – selfies, Madame Chair. We are gratified to hear concerns from states about this, including Italy, Austria, and Slovakia.

Without significant improvements this treaty will have profound negative impacts on the digital ecosystem. It will damage the credibility of the UN’s commitment to the values the UN Charter is founded upon.

We know many states want increased cooperation on cybercrime. We entirely support this objective. Many of our members actively participate in capacity building and technical assistance for exactly this reason. This text will not create the trust essential to cooperation – it will undermine it.

Regrettably, without major amendments this Convention is not presently fit for purpose, and we could not recommend states endorse or adopt it.

We thank you very much for your attention.