PROVISIONS ON INTERNATIONAL COOPERATION

Madam Chair,

On behalf of the Africa Group, allow me to commend you for successfully convening the first and second sessions of the Ad Hoc Committee. The Africa Group would like to express its confidence in your able leadership in moving this committee in the right direction. Please be assured of our full support of your Chairship and our cooperation to make this session a success.

The Africa Group is concerned that cybercrime and the different uses of information and communication technologies (ICTs) for criminal purposes constitute a persistent and evolving threat that continues to destabilize countries globally due to its complex and transnational nature. As African countries incorporate digital infrastructure into all aspects of society, they are increasingly exposed to cyber-attacks that undermine peace and security efforts on the Continent. The most prominent threats to the Continent include online scams, digital extortion, ransomware, as well as sabotage of critical infrastructure, amongst others. The growing digital demand in African countries coupled with a lack of national cybersecurity policies and standards has allowed criminals to exploit vulnerabilities across the Continent as well as manipulate the variations in law enforcement capabilities across physical borders.
Madam Chair,

The absence of a universally recognised instrument that specifically facilitates international cooperation in cybercrime matters is a significant contributing factor to the ineffectiveness of combating the criminal misuse of ICTs. Therefore, it is critical that states work in synergy and cooperate to the fullest extent to establish a fit-for-purpose international legal instrument that can effectively prevent and combat cybercrime.

The Africa Group therefore underscores the need to enhance the provisions on international cooperation within the future Convention to address the challenges of cybercrime and its effects on the social wellbeing and economic development of countries, in particular African countries. In doing so, the provisions on international cooperation should be aligned to existing international instruments particularly the United Nations Convention Against Transnational Organised Crime, 2000 (UNTOC) and the United Nations Convention Against Corruption, 2003 (UNCAC) as well as draw inspiration from regional instruments such as the African Union Convention on Cybersecurity and Data Protection, amongst others.

The Convention should reinforce and enhance international cooperation procedures as well as include other innovative measures to strengthen cross-border investigations of cybercrime, acquisition and sharing of electronic evidence.

The Africa Group recognises that international cooperation is important for gathering and sharing electronic evidence in the context of cross-border investigations and the need for rapid and effective responses to requests for mutual legal assistance related to preserving the relevant data and obtaining electronic evidence. The Africa Group also underscores that principles of human rights safeguards, fundamental freedoms, protection of personal data along with sovereignty and reciprocity should always be respected.
Madam Chair,

Due to the complex nature of cybercrime and other criminal uses of ICTs, the Africa Group would like to encourage all Member States and stakeholders to engage meaningfully on the Guiding Questions with a view to strengthening international cooperation.

I thank you