Preventive Measures: New Zealand Statement

Thank you chair,

In regards preventive measures, we firstly note that the agreed recommendations of the Intergovernmental Expert Group on cybercrime contains useful elements for our consideration of this chapter.

In answer to question 32 and partially questions 36 and 37, preventive measures outlined in this convention should not attempt to be exhaustive, but could include:

- General principles of prevention;
- Provisions emphasizing the need for whole of society participation and setting out how this can be achieved for example through awareness raising campaigns and building digital literacy;
- Provisions setting out, in general, how authorities could cooperate with the private sector to implement prevention measures, without requiring States to create prescriptive responsibilities for the private sector;
- Protection and assistance measures for vulnerable people and groups, including, as Australia and Nigeria both well set out, those who are disproportionately affected by cybercrime and specific types of cybercrime, such as women and children;
- Encouraging collection, analysis and exchange of information on cybercrime trends and best practices, and fostering cooperation between states to share experiences.

Prevention of cybercrime should not be considered a top down endeavour. Effective, sustainable, prevention will require transparent and open cooperation between governments and a full range of stakeholders, including private sector companies, service providers, academia, and NGOs. This will help to ensure that the prevention measures developed over time are well grounded in evidence and real world practises. Further, we endorse the statements of the Netherlands and others who have noted that such cooperation should be encouraged on a voluntary basis and the convention should not seek to be overly prescriptive nor create obligations for service providers and the wider private sector, as this should be left to domestic policy and legislative measures.

In regards question 33, we also agree with the comments from a large number of delegations that this chapter must focus on cybercrime prevention measures and not attempt to introduce provisions that relate to cyber security, or indeed provisions that risk conflating these two distinct areas.

In response to question 35, we are flexible, but like Japan, we note that some states have multiple authorities with responsibility for preventing cybercrime, and need to tailor their approach to their own local context.

Thank you chair.