Thank you, Madame Chair.

Technical assistance will be an important part of this convention, given the nature of the crimes covered. With that, my delegation submits the following:

On the first question, technical assistance should cover these two main areas of technical assistance: providing assistance and advisory services to state parties with no local legislation on cybercrime or those that need cybercrime law reform and building capacity through activities such as training criminal justice sector players for the more successful investigation and prosecution on cybercrimes and cyber-related and enabled offenses.

Using technology-neutral language, the convention should specify training programs that each party should implement to equip their relevant authorities to implement the convention, such as training for digital forensic examiners, and awareness training for judges and prosecutors.

Second, the objectives of increased efficiency and effectiveness in the investigation and prosecution of cybercrime, long-term holistic government response to cybercrime with the goal of sustainable response and enhanced deterrence, and strengthening international cooperation between state parties should be the guiding posts in identifying capacity-building efforts. Likewise, drawing from the best practices of state parties is a good means of identifying effective means of capacity-building efforts.

Noting that there are variations in experience and expertise among states when it comes to on investigation and prosecution of cybercrime and cyber-related and enabled offenses, gaps between the capacity of criminal justice sector players and expectations from them should be analyzed. A framework for building targeted modules for capacity building would be helpful to enable effective investigation and prosecution of cybercrime.

Considering the gendered dimensions of cybercrime, the Convention shall consider provisions incorporating gender mainstreaming into policy making, legislation, and programming. Equity for both genders must be prioritize and this can be achieved when consultations are made prior to making decisions that greatly affect both genders and by giving equal opportunities in capacity building efforts to both men and women.
Third, on the needs of developing countries, from Philippine experience, the lack of training and certifications by the personnel involved in investigating cybercrime and gathering evidence thereon and the lack of the appropriate equipment in the conduct of investigation is becoming a hindrance to the successful prosecution of cybercrimes and cyber-related offenses. Capacity-building efforts that are aimed toward these could greatly benefit not only the state parties but their counterparts as well. Developing countries need support to renew and upgrade digital forensic tools.

Fourth, the convention should consider provisions to set out a clear role for the civil society and other relevant non-governmental stakeholders, such as UNODC, INTERPOL etc., in cybercrime prevention efforts, as well as in technical assistance and capacity-building related measures. UNODC should be the UN body designated to coordinate and provide technical assistance.

Fifth, on the methods and means of providing technical assistance, States could consider contributing funds composed of a percentage of the money or of the corresponding value of proceeds of crime or property confiscated in accordance with the provisions of the convention.

The convention can also set out guidelines for joint investigation teams and joint investigations. By mutual agreement, two or more Parties operate a joint investigation team in their territories to facilitate criminal investigations or proceedings, where enhanced coordination may be particularly useful.

Sixth, we understand “technical assistance” to mean the provision of targeted support to a member-State with a development need or problem and this includes the provision of capacity-building efforts to said member-State. Based thereon, we understand technical assistance to be a broader term that encompasses technical assistance as one of the methods by which this can be implemented.

Seventh, we recommend the inclusion of provisions that are aimed at assisting State parties with resources for a 24/7 point of contact. The Convention may follow the framework used by other existing international instruments. Further, these provisions shall identify the scope of assistance rendered in the 24/7 network and the procedural measures needed for the designation of point of contact of State Parties.

Finally, eighth, the private sector and non-governmental organizations make valuable contributions, as we have already seen in this process. The convention should, without prejudice to existing agreements, arrangements and commitments, consider allow considering close collaboration with academia, civil society, and the private sector, with a view to enhancing the effective implementation of this convention, but at the same time upholding its intergovernmental nature.

Thank you.