Technical Assistance – Brazil intervention

Madam Chair,

Brazil will be answering questions 24 and 26 of the guiding questions with a proposal to the Ad Hoc Committee.

Technical assistance is key. We have already made the point that even if we have the best convention, adopted by consensus, and as universal as UNCAC and UNTOC, if countries have no capacity to implement it there may still be safe havens from where criminals can launch their operations.

In developing the convention on the issue of technical assistance we need to make sure that its text will reflect the actual needs of countries and that the implementation of the convention will allow for fulfilling those needs.

However, madam Chair, what is the minimum required expertise and resources a country needs to effectively investigate and prosecute? What is the minimum required to effectively receive and offer cooperation in combating cybercrime? If we don’t have some level of clarity about those needs, how can we develop a text capable of enabling countries to request and to provide technical assistance in a targeted and focused way?

In this sense, madam Chair, Brazil has a concrete proposal to submit to you and through you to this Committee.

Brazil proposes that the Committee requests countries willing to do so to prepare a paper where each country would state the needs it identified for being able to investigate, prosecute and cooperate in combating cybercrime. Also, countries could state in what areas they would be capable and willing to extend assistance to other countries. The paper could even state, for instance, that assistance is needed in assessing what are their needs for technical cooperation.

These papers would be sent to the secretariat of the Committee and uploaded to the webpage.

We would not ask at this juncture for any treatment or systematization of the information by the secretariat, because we know they are very busy assisting the Chair in preparing the texts for negotiation.
If we agree to do so, when we get to the discussion of the text of the convention we would have concrete information, a panorama of concrete needs. The information could be later developed or cross referenced and serve as basis for the implementation of the convention that we still don’t have, but we will have by 2024.

The costs involved in this initiative would be low. We would sit with national experts and practitioners and take note of their concrete needs and of their expertise. In many cases, including in the Brazilian, this exercise would constitute the first approach to an integrated assessment of needs and expertise gathered in combating cybercrime.

For this committee the cost would be limited to formatting and publishing the papers on the website, it seems.

If the committee agrees, madam Chair, dear colleagues, we would be giving the first step into creating a convention tailored to provide for actual needs in technical assistance.

For the reasons stated, we submit this proposal for the consideration of the committee.

Thank you, madam Chair