Guiding questions on the chapters on international cooperation, technical assistance, preventive measures, the mechanism of implementation and the final provisions, and the preamble, of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes

II. Technical assistance

24. Which specific areas of technical assistance should be covered by the convention?

The Dominican Republic is of the view that the convention should not cover a closed or exclusive list of specific areas of technical assistance or subjects for capacity building, but rather recognize the importance of doing this and promote that international and regional organizations, as well as States that are able to, offer this assistance to States that need it.

In this regard we fully support Brazil’s proposal that an assessment is conducted, perhaps through UNODC’s Global Program on Cybercrime of the specific needs of every Member State, so that capacity building and technical assistance are tailored to those specific needs, and there’s more coordination, coherence and synergies among the different capacity building projects available.

Nevertheless, we consider the following subjects to be of relevance:

Capacity building in the form of training:

- Mutual Legal Assistance
- Digital forensics
- Chain of Custody and forensic reports
- First responders (identification and preservation of electronic evidence)
- Malware analysis
- Ransomware investigations and decryption
- Cripto-assets investigations
- Undercover operations
- 24/7 contact-point unit procedures

Capacity building in the form of specific technical assistance:

- Development of Standard Operating Procedures
- Development of manuals and templates

Capacity building in the form of tools:

- Equipment and techniques
- Software
25. Which principles should be used to guide technical assistance and capacity-building efforts? Should these include drawing on best practices? How can the convention ensure such assistance takes into consideration a gender perspective?

- Sustainability
- Replicability

Yes, these efforts should take into account best practices and the experiences of States that have a higher degree of development in this area.

One practical way to take the gender perspective into account in these efforts could be through promotion by member states specifically targeting women with the objective of getting more women interested in getting involved in this world.

26. What are the specific needs of developing countries in countering the use of information and communications technologies for criminal purposes and how could they be addressed in the technical assistance chapter of the convention?

One of the major challenges of developing countries is being able to retain human resources once they have reached a certain level of training and experience, mainly because governments can’t compete in salaries with the private sector, which also needs trained staff in this area, so any capacity building project needs to be sustainable in time by permanently producing newly trained staff.

Another major challenge for developing countries is keeping up with the technology advances mainly due to budget limitations to acquire and maintain the different tools.

27. Should the convention include provisions on the specific roles of the United Nations Office on Drugs and Crime (UNODC)? Should it also include provisions on the role of INTERPOL and other relevant international bodies and organizations?

It is our view that in the area of capacity building and technical assistance both UNODC’s Global Program on Cybercrime and INTERPOL play a key role given their vast experience.

Also other international and regional organizations like the OAS and the Council of Europe can provide much support in this area, however we don’t see the need to have provisions in the convention establishing their specific roles.

28. Which methods and means of providing technical assistance should be covered by the convention?

- Research
29. Why do some States use the term “technical assistance” and others “capacity-building”? What is the difference between them? Should the convention include provisions on capacity-building? If so, what should they entail?

We see the term technical assistance as a more specific-need case-by-case assistance, while capacity building is more long term because it aims to create a sustainable capability.

Yes, the convention should include provisions that promotes capacity-building.

30. Should the convention include provisions that are aimed at assisting States parties with resources for a 24/7 point of contact?

Yes, it should. Both in defining their role, promoting specific procedural training and assessing their functioning.

31. What, if any, could be the role of the private sector and non-governmental organizations in technical assistance or capacity-building?

ISP’s, financial institutions and Academia can be of great assistance to States on capacity-building activities and technical assistance.

One example of this could be that ISP’s train law enforcement in the functioning of their respective platforms and the proper information request procedures aiming at reducing processing time.