

Contribution from the Kingdom of Norway

Preparation for the third session of the United Nations Ad Hoc Committee to elaborate a Convention on the Countering of the Use of Information and Communications Technologies for Criminal Purposes, taking place from 29 August to 9 September 2022 in New York

The Government of the Kingdom of Norway is pleased to respond to the invitation to the Member States to submit proposals and comments on the specific chapters and provisions to be examined during the third session of the Ad Hoc Committee, namely on international cooperation, technical assistance, preventive measures, provisions on a mechanism of implementation, the final provisions and the preamble of a comprehensive international convention on countering the use of information and communications technologies for criminal purposes.

International cooperation

Norway supports including in this convention provisions that would enable effective international cooperation. At the same time the procedural framework should include comprehensive safeguards in line with the rule of law and protections of human rights and fundamental freedoms, including the International Covenant on Civil and Political Rights.

The convention should allow international cooperation to be extended to all criminal offences related to computer systems and data as well as to the collection of evidence in electronic form related to any criminal offence.

The Ad Hoc Committee should draw experience from existing treaties, especially UNTOC and UNCAC. At the same time, bearing in mind that the new convention will deal with the challenges of modern cybercrime, which is time-sensitive.

Technical assistance

Today, there are variations between states when it comes to cybercrime investigation and prosecution. The convention should provide a framework for capacity building to enable effective investigation and prosecution of cybercrime globally.

Strengthening the capabilities of practitioners to investigate and prosecute cybercrime and other offences involving electronic evidence is probably the best way towards an effective criminal justice response to the challenges.

The convention should provide a framework for training programs, as well as technical assistance that could support its implementation. The assistance should be designed to respond flexibly to identified needs in developing countries by supporting Member States to prevent and combat cybercrime in a holistic manner.

UNODC should have a role in establishing and administering the programme. It should build on existing training- and capacity-building programmes, such as those of INTERPOL.

The exchange of information, knowledge and best practices are key components in the prevention and investigation of cybercrime. It is equally important to gather data and conduct analyses of cybercrime trends. This should be made easily accessible.

Preventive measures

Norway supports including provisions on preventive measures in the convention. Both the United Nations Convention against Transnational Organized Crime (UNTOC) and the Council of Europe Convention on Cybercrime (Budapest Convention), have articles on preventive measures. The text should build on this.

The types of investments that ensure that our online environment is safer and more secure are important. This includes the sharing of knowledge about threats and dangers, capacity building and awareness raising. A gender perspective should be applied and children should be given special consideration.

The new convention should not regulate questions regarding cyber security. There are already a number of fora for international cooperation on cyber security. These issues fall outside the new convention.

Mechanisms of Implementation

We believe the new convention should include a review process that will support State Parties to the convention in the effective implementation of these instruments, as well as help Member States to identify and substantiate specific needs for technical assistance and to promote international cooperation.

We should draw on existing mechanisms that have been proven to work. Moreover, cooperation with relevant international and regional and non-governmental organizations should be a part of any implementation mechanisms.

Preamble and Final provisions

Human rights standards as enshrined in the International Covenant on Civil and Political Rights (ICCPR) entail an important framework for the future convention, and there should be a clear recognition of it in the preamble.